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Executive Office,
Montana Territory,
Virginia City, Oct. 3, 1870

To the Sheriff of
Missoula County, M. T.

Whereas, a Requisition having been made on me, as Governor of Montana Territory, by the Acting Governor of Idaho Territory, the objects and purposes of which will be more fully seen by you in the following true copy of said Requisition:

(Requisition on file in this office)

Now therefore, I, Benj. F. Potts, Governor of Montana Territory, do commission you, Sheriff of Missoula County, M. T., to keep all proper respect to the foregoing Requisition and to this my Order, by taking the prisoners mentioned in this Requisition, if yet in your possession, charged with the crime of murder in Idaho Territory, in the indictment of J. Pingry, the duly authorized agent or Deputy of John G. Berry, the Sheriff of Oneida County, I. T., as stated in said Requisition, to receive said prisoners so charged and restore them to the authorities of Idaho Territory.

In testimony whereof I have hereunto set my hand and caused the Seal of the Territory to be affixed
Done at Virginia City, Montana Territory, this 3d day of Oct, 1870

(S.) B. F. Potts
Governor Montana Ter.

Witness
J. L. Hedges
Secy Montana Ter.

Executive Department.
Montana Territory,
Virginia City, Oct. 17, 1870

Whereas - It has been represented to me by divers good citizens of Madison County, M. T., to me personally known, that one F. P. Johnson, was, on the 28th day of September, A. D. 1870, tried before the Probate Judge of said County for Assault and Battery, and by said Court was fined Twenty-five Dollars and sentenced to thirty days imprisonment;

And Whereas - The Petitioners aforesaid represent that the circumstances under which the offence was committed were such as to entitle the said F. P. Johnson to Executive clemency;

Now therefore, I, Benj. F. Potts, Governor of the Territory of Montana, by virtue of authority vested in me, do hereby pardon the said F. P. Johnson, remit said fine and costs, and order his immediate release from the Prison of said County of Madison.

In testimony whereof I have hereunto set my hand and caused the Seal of the Territory to be affixed.

Done at Virginia City, M. T., this the 11th day of October, A. D. 1870.

B. F. Potts.
Governor.

(Seal)

Wm. H. Sanders
Sec'y Montana Ter.

Executive Department,
Montana Territory
Virginia City. Oct. 21, 1870

I, Benjamin F. Potts, Governor of the Territory of Montana, by the authority vested in me by Section 7 of the Organic Act, do nominate, commission and appoint, subject to the advice and consent of the Legislative Council at its next regular session, the following officers, to wit:

Conrad Kohrs, of Deer Lodge County,
Granville Stewart " " "
John Kinna, of Lewis & Clarke, "

To be members of the Board of Territorial Prison Commissioners to serve for the term of two years from the time they enter upon the discharge of the duties of their office.

James Fielding, of Deer Lodge County, to be Warden of the Penitentiary of said Territory to serve for the term of two years.

B. F. Potts
Governor

Attest
Addison Sanders.
Secy.

Proclamation.

Executive Department
Montana Territory
Virginia City, Oct. 1870.

It has long been the custom of Christian people to publicly acknowledge their dependence on Almighty God for His manifold blessings and mercies, and to humbly beseech Him for a continuance of the same; and

Whereas, this people during the year now about to end have great cause to be grateful for health, abundant harvests, general prosperity and internal peace; and

Whereas, His Excellency, the President of the United States having appointed Thursday, the 24th day of November next a day of Thanksgiving and Prayer for the bounty of God during the year about to close and to implore a continuance hereafter;

Now therefore, I, B. F. Potts, Governor of the Territory of Montana, do earnestly recommend that Thursday, the 24th day of November next be set apart as a day of Thanksgiving and Prayer, and request all persons to refrain from their ordinary avocations and repair to their usual places of worship and give thanks to our Heavenly Father for his untold blessings to us individually and as a people.

In witness whereof I have hereunto set my hand and caused the seal of the Territory to be affixed.

Done at Virginia City, Montana Territory, this 25th day of Oct. A. D. 1870, and of the Independence of the United States the ninety fifth.

B. F. Potts.

By the Governor.
Wm H Rogers
Secretary M. T.

Executive Department
Montana Territory.
Virginia City, Nov. 3, 1870.

To all to whom these Presents shall come — Greeting:

Whereas, at the August Term of the District Court, held in and for the County of Madison in this Territory, in the year of Our Lord One Thousand Eight Hundred and Sixty-Nine, James Jamison was then and there by a Jury of the County convicted of the crime of Grand Larceny, and sentenced by the Court to imprisonment in the Montana Penitentiary for the term of three years;

And whereas such representations have been made by sundry good citizens of said Madison County as induces the belief that the said James Jamison may with propriety be pardoned by the Executive Authority of the Territory;

Therefore, by virtue of the Power vested in me by the Organic Act of said Territory, I do hereby grant to the said James Jamison a full pardon upon the condition of good behavior in the future — and do by these Presents release him from all further imprisonment under the sentence aforesaid.

In testimony whereof I have hereunto set my hand and caused the Great Seal of the Territory to be affixed, at Virginia City, the 3d day of November, A. D. 1870, and in the Ninety-fifth year of the Independence of the United States of America.

B. F. Potts.

By the Governor.
Neal A. Sanders
Secretary

Executive Department
Montana Territory
Virginia City
Feb. 4 - 1871

I B. F. Potts Governor of the Territory of Montana by the authority vested in me by Section 2. of An act to amend An Act entitled An Act Creating Certain Offices in the Territory of Montana declaring to whom Resignations shall be made. When offices shall be deemed vacant and the Manner of filling vacancies approved December 31 - 1868 - do nominate Commission and appoint subject to the advice and Consent of the Legislative Council at its next regular Session the following officers viz =

Henry N. Blake District Attorney for the first Judicial District of said Territory to fill the unexpired term of Hon W. L. McMatt deceased -

B. F. Potts
Governor

Executive Department
Virginia City March 26. 1871.

To the Sheriff of
County Montana

Whereas a Requisition has been made upon Me, by the Governor of the State of Pennsylvania for the Apprehension and Surrender of Tryon Peakirt
Charged with the Crime of Forgery, Committed in the City and County of Philadelphia in Said State.

I therefore by virtue of the Constitution and Laws of the United States and the Laws of the Territory of Montana, do Command you to apprehend the Said Tryon Peakirt wherever he may be found in Said Territory; and upon the payment of all legal Costs to deliver Said Tryon Peakirt to George Smith and Thomas K. Kemble, or either of them, the Agents appointed by the Governor of the State of Pennsylvania, in order that he may be Conveyed to the Said State of Pennsylvania, to be tried for the Crime Charged; and of this Warrant with your proceedings thereon, make due Return to this Office.

Attest
F. C. Deimling
Private Secretary

B. F. Potts
Governor.

Executive Department
Montana Territory
Virginia City March 31. 1871

Whereas at the July Term of the District Court held in and for the County of Lewis and Clarke in this Territory in the Year of our Lord One thousand eight hundred and Seventy, James McFarland then and there plead Guilty to the Charge of Horse stealing, And was sentenced by the Court to imprisonment in the Penetentiary of Montana for the period of Two years.

And Whereas, Such representations have been made by the Grand Jury, County Commissioners and divers others, good Citizens of said County, that the said James McFarland may with propriety be pardoned by the Executive Authority of this Territory.

Therefore, by virtue of the Authority vested in Me by the Organic Act of said Territory, I do hereby grant full pardon to said James McFarland, upon Condition of good behavior in the future; And do by these presents, release him from all further Confinement, under the Sentence aforesaid.

In Testimony whereof I have hereunto set my Hand, and caused the Great Seal of the Territory of Montana to be hereunto affixed.

Seal

Done at Virginia City this Thirty first day of March in the Year of our Lord One thousand eight hundred and Seventy one and of the Independence of the United States the Ninety fifth.

Attest F. C. Deuling
Private Secretary

B. F. Potts
Governor

Official oath of James E. Callaway
Secretary of Montana Territory

I James E. Callaway do solemnly swear that I have never voluntarily borne arms against the United States since I have been a citizen thereof; that I have voluntarily given no aid, countenance, counsel or encouragement to persons engaged in armed hostility thereto; that I have neither sought nor accepted nor attempted to exercise the functions of any office whatever under any authority or pretended authority in hostility to the United States, that I have not yielded a voluntary support to any pretended government authority power or constitution within the United States hostile or inimical thereto.

And I do further swear that to the best of my knowledge and ability I will support and defend the Constitution of the United States against all enemies foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter; So help me God.

James E. Callaway

Sworn to and subscribed before me this 24th day of March A.D. 1871 at Chicago in the Northern District of Illinois.

Thomas Drummond
U.S. Judge of the 7th Judicial Circuit.

Recorded
April 4th 1871.

Executive Department
Territory of Montana
Virginia City April 17th 1891

Whereas at and during the October Term of the District Court held in and for the County of Gallatin in the Territory of Montana in the Year of our Lord One Thousand Eight Hundred and Seventy the Grand Jury of the said Court sitting in and for said County having found and presented a True Bill against one Thomas Sheehan upon the charge of "Shooting at with intent to Kill one Lottie Rich" and the said Thomas Sheehan having at the aforesaid Term of said Court been duly arraigned upon the said charge, did then and there enter the plea of Guilty of the charge of "Shooting at with intent to Kill one Lottie Rich" and thereupon the said Thomas Sheehan was at the aforesaid Term of said Court duly sentenced by the said Court to imprisonment in the Penitentiary of the Territory of Montana for the Period of Two years.

And Whereas upon the representations of the Physicians who have been in attendance upon the said Thomas Sheehan since his confinement in the Penitentiary of said Territory, that the said Thomas Sheehan is now in very bad health and is suffering from a complication of dangerous diseases and in the opinion of said Physicians the longer imprisonment of the said Thomas Sheehan will greatly endanger his life; and also upon the petition of divers good Citizens of the said County of Gallatin praying for the pardon of the said Thomas Sheehan for reasons in said petition stated it is believed this is a case justifying Executive clemency

Now Therefore I, Benjamin F Potts by virtue of the authority vested in me as the Governor of said Territory of Montana by the Organic Act of said Territory, do hereby give and grant full pardon to the said Thomas Sheehan for the said Offense, and do hereby these presents release him the said Thomas Sheehan from all further confinement or imprisonment under the sentence aforesaid.

In Testimony whereof I have hereunto set my hand and caused the great seal of the Territory of Montana to be hereunto affixed

Seal

Done at Virginia City this Seventeenth day of April in the year of our Lord One thousand Eight Hundred and Seventy One and of the Independence of the United States the Ninety fifth.

B. F. Potts

By the Governor
A. C. Gallaway
Secretary of the Territory of Montana

Executive Department
Montana Territory
Virginia City May 13. 1871.

The resignation of Hon. John H. Corum Member Elect to the Legislative Council of Montana from the Counties of Lewis and Clarke and Jefferson, at the General Election 1870, was this day received and Accepted.

B. F. Potts.
Governor

I, Benjamin F. Potts, do solemnly swear that I have never voluntarily borne arms against the United States since I have been a Citizen thereof; that I have voluntarily given No aid, Countenance, Counsel or encouragement to persons engaged in armed hostility thereto; that I have neither sought nor accepted nor attempted to exercise the functions of any office whatever under any authority or pretended authority, in hostility to the United States; that I have not yielded a voluntary support to any pretended Government, authority, power or Constitution within the United States, hostile or inimical thereto. And I do further swear that to the best of my Knowledge and ability, I will support and defend the Constitution of the United States against all enemies foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office, on which I am about to enter: So help me God.

Benjamin F. Potts.

Sworn to and Subscribed before me, this 17th day of July A.D. 1870.

M. H. Swayne
Asso. Jus. Sup. Court U.S.

Recorded June 8. 1871.

I, Hezekiah L. Hosmer of the City of Brooklyn of the State of New York, do solemnly swear that I have never voluntarily borne arms against the United States since I have been a Citizen thereof; that I have voluntarily given no aid, countenance, counsel or encouragement to persons engaged in armed hostility thereto; that I have neither sought nor accepted nor attempted to exercise the functions of any office whatever under any authority or pretended authority in hostility to the United States; that I have not yielded a voluntary support to any pretended government, authority, power or Constitution within the United States, hostile or inimical thereto; and I do further swear that to the best of my knowledge and ability I will support and defend the Constitution of the United States, against all enemies foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter; So help me God.

Hezekiah L. Hosmer.

Sworn to and Subscribed before me at Bannock City in the Territory of Montana, this Twelfth day of October A.D. 1864.

Sidney Edgerton.
Governor M.T.

I Hezekiah L. Hosmer do solemnly swear that I will support the Constitution of the United States and that I will faithfully discharge the duties of Chief Justice of the Territory of Montana –

Hezekiah L. Hosmer.

Sworn to and Subscribed before me this Twelfth day of October A.D. 1864. at Bannock City in the Territory of Montana

Sidney Edgerton
Governor M.T.

Recorded June 8. 1871.

I, Lorenzo P. Williston of the Village of Mellebors County of Tioga, State of Pennsylvania do Solemnly Swear that I have never borne arms against the United States, Since I have been a Citizen thereof; that I have voluntarily given No aid, Countenance, Counsel, or encouragement to persons engaged in armed hostility thereto; that I have neither Sought nor accepted, nor attempted to exercise the functions of any office whatever under any authority or pretended authority in hostility to the United States; that I have not yielded a voluntary Support to any pretended Government, authority, power or Constitution within the United States, hostile or inimical thereto; And I do further Swear that to the best of my Knowledge and ability, I will support and defend the Constitution of the United States, against all enemies foreign and domestic; that I will bear true faith and allegiance to the Same; that I take this Obligation freely, without mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter, So help Me God.

Lorenzo P. Williston.

Sworn to and Subscribed before me this Twelfth day of October, A.D. 1864 at Bannock City in the Territory of Montana

Sidney Edgerton.
Governor of Montana Territory

Recorded June 8. 1871.

I, Lyman E. Munson do solemnly Swear, that I have never voluntarily borne arms against the United States since I have been a Citizen thereof; that I have voluntarily given no aid, Countenance, Counsel or encouragement to persons engaged in Armed hostility thereto; that I have neither Sought nor accepted nor attempted to exercise the functions of any office whatever, under any authority or pretended authority in hostility to the United States; that I have not Yielded a voluntary Support to any pretended Government, authority, power or Constitution within the United States, hostile or inimical thereto. And I further Swear, that to the best of my Knowledge and Ability, I will Support and defend the Constitution of the United States, against all enemies foreign and domestic; that I will bear true faith and allegiance to the same; that I take this Obligation freely, without any mental reservation or purpose of evasion and that I will well and faithfully discharge the duties of the office of Associate Justice of the Supreme Court of the Territory of Montana, on which I am about to enter. So help me God.

Lyman E. Munson

Sworn and Subscribed to before me at Helena, Edgerton County, Territory of Montana, this 20th day of July 1865.

Orson Miles
Justice of the Peace.

Recorded June 9. 1870.

I, Henry L. Warren, do solemnly swear, that I have never voluntarily borne arms against the United States, since I have been a Citizen thereof; that I have voluntarily given no aid, Countenance, Counsel or encouragement to persons engaged in Armed hostility thereto: that I have neither sought, nor accepted, nor attempted to exercise the functions of any Office whatever, under any authority or pretended authority in hostility to the United States; that I have not yielded a voluntary Support to any pretended Government, authority, power or Constitution, within the United States, hostile or inimical thereto. And I do further swear that to the best of my knowledge and ability, I will support and defend the Constitution of the United States, against all enemies foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any Mental reservation or purpose of evasion and that I will well and faithfully discharge the duties of the Office in which I am about to enter. So help me God.

Henry L. Warren.

Sworn to and Subscribed before Me, this 28th day of July, A.D. 1868.

Sam. F. Miller
Asso. Jus. Sup. Court, M.T.

United States of America,

I Henry L. Warren do solemnly swear, that I will administer justice without respect to persons and do equal right to the poor and to the rich; and that I will faithfully and impartially discharge and perform all the duties incumbent on me as the Chief Justice of the Supreme Court of the Territory of Montana according to the best of my ability and understanding, agreeably to the Constitution and Laws of the United States. So help Me God.

Henry L. Warren.

Sworn to and Subscribed before me, this 28. day of July A.D. 1868.

Sam. F. Miller
Asso. Jus. Sup. Court M.T.

Recorded June 9. 1871

United States of America. S.S.

I, Hiram Knowles do solemnly swear, that I have never voluntarily borne arms against the United States, since I have been a Citizen thereof; that I have voluntarily given no aid Countenance Counsel or encouragement to persons engaged in Armed hostility thereto; that I have neither sought nor accepted, nor attempted to exercise the functions of any office whatever under any authority in hostility to the United States; that I have not yielded a voluntary support to any pretended government authority, power or Constitution within the United States hostile or inimical thereto. And I do further swear that to the best of my knowledge and ability, I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this Obligation freely, without any mental reservation or purpose of evasion and that I will faithfully discharge the duties of the office of Associate Justice for the Territory of Montana; So help me God,

Hiram Knowles

Subscribed and Sworn to before me
September 5th A.D. 1868.
H. L. Warren C.J.
Montana Ty.

United States of America. S.S.

I, Hiram Knowles do solemnly swear, that I will administer justice without respect to persons and do equal right to the poor and to the rich and that I will faithfully and impartially discharge and perform all the duties incumbent on me, as Associate Justice for the Territory of Montana according to the best of my abilities and understanding, agreeably to the Constitution and Laws of the United States. So help me God.

Hiram Knowles.

Subscribed and Sworn to
before me, this the 5th day of
September A.D. 1868.
H. L. Warren C.J.
Montana Ty.

Mar. 1. 1871

I, Henry N. Blake, do solemnly swear, that I have never voluntarily borne arms against the United States, since I have been a Citizen thereof; that I have voluntarily given no aid, Countenance, Counsel or encouragement to persons engaged in Armed hostility thereto; that I have neither sought nor accepted nor attempted to exercise the functions of any office whatever, under any authority or pretended authority in hostility to the United States; that I have not yielded a voluntary Support to any pretended Government, authority, power or Constitution within the United States, hostile or inimical thereto. And I do further swear, that to the best of my knowledge and ability, I will support and defend the Constitution of the United States, against all enemies foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of Evasion; and that I will well and faithfully discharge the duties of the office, on which I am about to enter So help me God.

Henry N. Blake

Subscribed and Sworn to before me this Twenty fourth day of May A.D. 1869.

Samuel B. Green
Clerk of District Court.

(Seal)

I, Henry N. Blake do solemnly swear that I will faithfully perform all the duties of the office of Attorney of the United States, in and for the Territory of Montana, according to the best of my ability and understanding, agreeably to the Constitution and Laws of the United States. So help me God.

Henry N. Blake.

Subscribed and Sworn to before me, this Twenty fourth day of May A.D. 1869.

Samuel B. Green
Clerk of District Court

(Seal.)

Recorded June 9. 1871.

Territory and District of Montana
County of Lewis and Clarke.

I, Wm. F. Wheeler do solemnly Swear, that I will faithfully execute all lawful precepts directed to the Marshal of the Territory and District of Montana, and given me to execute under the authority of the United States, and true returns make; and in all things well and truly and without malice or partiality perform the duties of the Office of Marshal of the Territory and District of Montana, during my Continuance in Office and take only my lawful fees.

And I the said Wm. F. Wheeler do further Solemnly Swear that I have never voluntarily borne arms against the United States Since I have been a Citizen thereof; that I have voluntarily given no aid, Countenance, Counsel or encouragement to persons engaged in armed hostility thereto; that I have neither Sought nor accepted, nor attempted to exercise the functions of any office whatever under any authority or pretended Government, authority, power or Constitution, within the United States, hostile or inimical thereto.

And I do further Swear that to the best of my knowledge and ability I will Support and defend the Constitution of the United States, against all enemies foreign and domestic; and that I will bear true faith and allegiance to the Same; and that I take this Obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office, on which I am about to enter, So help me God.

Wm. F. Wheeler
U.S. Marshal

Sworn and Subscribed before me At Helena, in Said County on this Fifth day of July, 1869.

H. L. Warren
Chief Justice and Judge of the 3rd Judicial District Court of the United States, in and for Montana Territory

Recorded June 9. 1871

I, Addison H. Sanders of Davenport, Scott County, Iowa, do Solemnly Swear that I have never voluntarily borne arms against the United States since I have been a Citizen thereof; that I have voluntarily given no aid Countenance, Counsel or encouragement to persons engaged in armed hostility thereto; that I have neither sought nor accepted, nor attempted to exercise the functions of any office whatever under any authority or pretended authority in hostility to the United States; that I have not yielded a voluntary Support to any pretended government authority, power or Constitution within the United States, hostile or inimical thereto. And I do further Swear that to the best of my knowledge and ability, I will Support and defend the Constitution of the United States, against all enemies foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter; So help Me God.

Addison H. Sanders

Sworn to and described before me this the Twenty sixth (26th) day of July A.D. 1870. Witness my hand and Seal hereto affixed, the date last above named.

John F. Dillon (Seal)
United States Circuit Judge, 8th Judicial Circuit

Recorded June 9. 1871.

I, John L. Murphy, do solemnly swear that I have never voluntarily borne arms against the United States, since I have been a citizen thereof; that I have voluntarily given no aid, countenance, counsel or encouragement to persons engaged in armed hostility thereto; that I have neither sought nor accepted nor attempted to exercise the functions of any office whatever, under any authority or pretended authority in hostility to the United States; that I have not yielded a voluntary support to any pretended government, authority, power or constitution within the United States, hostile or inimical thereto. And I do further swear that to the best of my knowledge and ability I will support and defend the Constitution of the United States against all enemies foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office, on which I am about to enter, So help me God.

John L. Murphy.

Sworn to and subscribed before me this 20th day of February A.D. 1871.

A. N. Swayne
Asso. Jus. Sup Court, U.S.

Recorded Ia. 1871

I, Decius S. Wade, do solemnly swear that I have never voluntarily borne arms against the United States since I have been a Citizen thereof; that I have voluntarily given no aid, Countenance, Counsel or encouragement to persons engaged in Armed hostility thereto; that I have neither sought nor accepted, nor attempted to exercise the functions of any office whatever, under any pretended authority in hostility to the United States; that I have not yielded a voluntary Support to any pretended Government, authority, power or Constitution, within the United States, hostile or inimical thereto. And I do further Swear, that to the best of my ability I will Support and defend the Constitution of the United States against all enemies foreign and domestic; that I will bear true faith and allegiance to the Same. That I take this obligation freely without any Mental reservation or purpose of evasion; And that I will well and faithfully discharge the duties of the office on which I am about to enter So help me God.

Decius S. Wade.

Sworn to and Subscribed before me this the 29th day of April A.D. 1871. at Virginia City Montana Territory

B. F. Potts
Governor of Montana

Territorial Seal

Recorded Ja. 9. 1871

I Cornelius Hedges do solemnly swear that I have never voluntarily borne arms against the United States since I have been a Citizen thereof; that I have voluntarily given no aid Countenance, Counsel or encouragement to persons engaged in Armed hostility thereto; that I have neither sought nor accepted nor attempted to exercise the functions of any office whatever under any authority or pretended authority in hostility to the United States; that I have not yielded a voluntary support to any pretended government, authority power or Constitution within the United States, hostile or inimical thereto. And I do further swear that to the best of my knowledge and ability I will support and defend the Constitution of the United States, against all enemies foreign and domestic; that I will bear true faith and allegiance to the same; that I take this Obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office of United States District Attorney for the Territory of Montana on which I am about to enter; So help me God.

Cornelius Hedges.

Sworn to before me and Subscribed in my presence this 10th day of June, 1871.

D. S. Wade
Judge 3rd Jud. Dist.

Recorded July 7. 1871.

Executive Department
Montana Territory
Virginia City June 24. 1871

Whereas at the June Term of the Probate Court within and for the County of Madison in this Territory in the year of our Lord One thousand eight hundred and Seventy one Charles F. Christenot was adjudged guilty of the Crime of Assault and Battery and Sentenced by said Court to pay a fine of Ten Dollars and the Costs of prosecution amounting to Sixty two 50/100 Dollars.

And Whereas such Representations have been made by the members of the Jury in said Case and divers others Good Citizens of said County that the said fine and Costs so as aforesaid adjudged against said Charles F. Christenot, may with Propriety be Remitted by the Executive Authority of this Territory.

Therefore by virtue of the authority vested in me by the Organic Act of said Territory, I do hereby remit in full the Amount of the said fine and Costs so as aforesaid adjudged against said Charles F. Christenot; and do by these Presents release him from all liability under the Sentence aforesaid

In Testimony whereof I have hereunto set my hand and caused the Great Seal of the Territory of Montana to be hereunto affixed.

Seal

Done at Virginia City, this Twenty fourth day of June in the Year of our Lord One thousand, eight hundred and Seventy one And of the Independence of the United States the Ninety fifth

B. F. Potts
Governor —

Attest. F. C. Dimsfing
Acting Secretary

The Territory of Montana.
Executive Department

B. F. Potts,
Governor of Montana.

To his Excellency the Governor
of the Territory of Utah.

Whereas it appears by the annexed indictment, duly authenticated in accordance with the laws of this Territory that John Stanly stands charged with the Crime of "Murder" committed in the County of Missoula in this Territory; and that it has been represented to me, that he has fled from the justice of this Territory and has taken refuge in the Territory of Utah.

Now therefore, pursuant to the provisions of the Constitution and Laws of the United States in such Cases made and provided, I do hereby request that the said John Stanly be apprehended and delivered to Hugh O'Neil, who is hereby authorized to receive and convey him to the Territory of Montana, there to be dealt with according to Law.

Given under my hand and the Great Seal of the Territory of Montana at Virginia City, this the First day of July in the Year of our Lord, One thousand eight hundred and Seventy one.

(Seal)

B. F. Potts
Governor of Montana

By the Governor
W. E. Callaway
Secretary of Montana

Executive Department
Montana Territory

Virginia City July 1st 1871.

Whereas at the June Term of the Probate Court, within and for the County of Madison in this Territory, in the Year of our Lord one thousand eight hundred and Seventy one, Peter O'Donnell was found Guilty of the Crime of "drawing and exhibiting a deadly weapon in a rude and angry manner" upon the person of one John Murray; and was sentenced by by said Court to pay a fine of Fifty Dollars and Costs of Suit (taxed at $204 05/100) and that in default of the payment of said fine and Costs said Peter O'Donnell was on June 22nd A.D. 1871 Committed to the Jail of said Madison County where he is now Confined.

And Whereas such representations have been made by divers good Citizens of said County that the said fine and Costs so as aforesaid imposed and adjudged against said Peter O'Donnell, may with propriety be remitted by the Executive Authority of this Territory and that he be released from the Jail of said County where he is now Confined.

Therefore by virtue of the authority vested in me by the Organic Act of said Territory I do hereby remit in full, the amount of the said fine and Costs so as aforesaid adjudged against the said Peter O'Donnell and do by these presents release him from said Confinement and from all liability under the aforesaid sentence

In Testimony whereof I have hereunto set my Hand and caused the Great Seal of the Territory of Montana to be hereunto affixed.

Seal

Done at Virginia City this First day of July in the Year of Our Lord one thousand eight hundred and seventy one And of the Independence of the United States, the Ninety fifth.

B. F. Potts Governor

Attest D. E. Callaway
Secretary Montana Ter

Executive Department
Montana Territory
Virginia City July 15th 1871.

To Thomas J. Bogy,
James Fowell and
J. A. Sanborn

By virtue of the power vested in me by law as Governor of the Territory of Montana you are hereby appointed Commissioners for the County of Dawson, in said Territory. You are directed to establish Election precincts without delay in your said County and appoint Judges of Election for each precinct so established who shall take the oath required by law, a certificate of the same to be returned to this office together with a certificate of the oath taken by each Commissioner. The returns of the Election held in each precinct of your County will be consolidated by you and the vote for Delegate to Congress will be sealed up and directed to this office properly signed; and the Return of the Vote for Councilmen and Representatives to the Legislature will be sent to the Clerk of Choteau County Montana. You will appoint none but your best Citizens as Judges of Election and you will direct them to permit no man to vote unless he has by a legal Vote under the Laws of the Territory and that they use the greatest diligence to prevent fraudulent votes from being cast at said Election.

Given under my Hand and the Great Seal of the said Territory the day and year above written.

Seal

B. F. Potts.
Governor

W. E. Callaway
Secy of Montana (Ter.)

Executive Department
Montana Territory
Virginia City July 1st 1871.

To E. P. Wilber
Charles O. Pratt
Henry Williams

By virtue of the power vested in me by law as Governor of the Territory of Montana You are hereby appointed Commissioners of the County of Big Horn in said Territory. You are directed to establish Election precincts in Your County without delay and appoint Judges of Election for each precinct so established who shall take the oath required by law, a certificate of the same to be returned to this office, together with a Certificate of the oath taken by each Commissioner. The returns of the election held in each precinct of your County will be Consolidated by you and the Vote for Delegate to Congress will be sealed up and directed to this office properly signed; and the return of the vote for Councilmen and Representatives to the Legislature will be sent to the Clerk of Gallatin County, Montana. You will appoint none but Your best Citizens as Judges of Election and You will direct them to permit no man to vote unless he be a legal Voter under the laws of the Territory and that they use the Greatest diligence to prevent fraudulent votes from being Cast at said Election.

Seal.

Given under my Hand and the Great Seal of the said Territory the day and Year above written.

B. F. Potts Governor

J. E. Callaway
Secretary of Montana Terry.

Executive Department
Montana Territory
Virginia City July 20th 1871.

By virtue of the authority vested in Me by the Organic Act of said Territory as Governor of the Same, I do by these Presents appoint the Hon. Richard O. Hickman of Madison County Montana Territory to be Territorial Treasurer for the period of Two Years after qualification unless sooner removed according to law. Said Territory, Subject to the advice and Consent of the Legislative Council at its next Session.

Seal

Given under my hand and the Great Seal of the Territory aforesaid, the day and Year above written.

B. F. Potts
Governor

J. E. Callaway
Secretary

Executive Department
Montana Territory
Virginia City July 20th 1871.

To
W. F. Rodgers Esq.
Territorial Auditor
Virginia City
Montana T.

Sir.

I Having been this day officially notified the Honorable Secretary of Montana Territory that William G. Barkley has failed to renew his official Bond as Territorial Treasurer As required by law I have by the power vested in me by law as Governor of said Territory, declared the office of Territorial Treasurer vacant, And appointed Richard O. Hickman Esq to fill said Vacancy; subject to the Advice and Consent of the Legislative Council when Assembled.

I have the honor to be Very
Respectfully Your Ob. Servant.
B. F. Potts
Gov. of Montana.

Executive Department
Montana Territory
Virginia City July 20. 1871.

Whereas at the December Term 1870 of the District Court held in and for the County of Deer Lodge in this Territory, Samuel E. Hughes then and there plead guilty to the Charge of a felonious Assault with a deadly weapon; and was sentenced by said Court to imprisonment in the Penitentiary of Montana for the period of One Year.

And Whereas, Such representations have been made by the Hon. Hiram Knowles, Associate Justice of the U.S. Court for said Territory, by whom said Hughes was sentenced; the Hon. Lewis McCurty, Deputy District Attorney for the Second Judicial District of said Territory, the Sheriff, Deputy Sheriff and Jailor of Deer Lodge County and divers other good Citizens of said County, that the said Samuel E. Hughes may with propriety be pardoned by the Executive authority of this Territory

Therefore by virtue of the authority vested in me by the Organic Act of this Territory, I do hereby grant full pardon to said Samuel E. Hughes and a restoration of civil rights, upon the express Condition of total abstinence from all intoxicating liquors; and good behavior in the future. A failure to perform the above Conditions by said Hughes, will subject him to arrest by the Deputy United States Marshal in Charge of the U.S. Penitentiary in Deer Lodge City in said Territory and a return to the same; there to be confined for the unexpired term of his Sentence. Under the conditions aforesaid the said Samuel E. Hughes is hereby released from Confinement.

In Testimony whereof I have hereunto set my hand and caused the Great Seal of the Territory of Montana to be hereunto affixed.

Seal

Done at Virginia City, this Twentieth day of July in the Year of our Lord One thousand eight hundred and Seventy one, (1871) and of the Independence of the United States the Ninety Sixth.

B. F. Potts, Governor.

A. E. Callaway
Secretary of Montana Ter.

Executive Department
Montana Territory
Virginia City July 22. 1871

The resignation of the Hon. William H. Parr, Member of the House of Representatives, Elect from Meagher County Montana Territory was received at this Department and accepted to date this day; and an Election ordered to fill the Vacancy caused by said resignation.

B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City Aug 16 - 1871.

Whereas Hon M. B. Hamison has this day tendered his resignation as District Attorney for the Second Judicial District of Montana to the Governor and the same having been duly accepted - Therefore I B. F. Potts Governor of the Territory of Montana by virtue of the power vested in me by Section 2 of "An Act to amend an Act entitled an act Creating Certain Offices in the Territory of Montana declaring to whom resignations shall be made, when offices shall be deemed vacant and the manner of filling vacancies approved December 31 - 1868" do nominate Commission and appoint subject to the advice and Consent of the Legislative Council at its next Session the following Officers viz:

Louis M. Maitry Esq
District Attorney for the Second Judicial District of Montana Territory for the unexpired Term of Hon M. B. Hamison resigned

(Seal)

B. F. Potts
Governor

Wm. E. Callaway
Secretary.

Recorded Aug. 17. 1871.

The following is a Correct Abstract of the Votes polled at a General Election held in Montana Territory August 7th A.D. 1871, for Delegate to the 42nd Congress of the United States, as Returned to the Secretary of the Territory aforesaid and opened and Canvassed by James E. Callaway Secretary of Montana Territory and F. C. Deimling Deputy United States Marshal for the District of Montana Territory aforesaid, in the presence of B. F. Potts, Governor of the Territory aforesaid on this Fifth day of September Anno Domini Eighteen hundred and Seventy one (1871), At Virginia City in said Territory

Counties	Wm. H. Clagett	C. H. Toole	Total.	Remarks.
Chouteau	128	58	186	
Madison	719	578	1297	
Big Horn	46	4	50	
Dawson	171	1	172	
Lewis & Clarke	1322	802	2124	
Deer Lodge	1136	1178	2314	
Gallatin	341	445	786	
Jefferson	390	470	860	
Meagher	274	298	572	
Beaver Head	190	309	499	1 Vote Cast for James M. Cavanaugh.
Missoula	557	718	1275	
Totals	5274	4861	10,135	

We hereby Certify that we the undersigned Canvassers have on this day and at the place above named, Canvassed the Election Returns for Delegate to Congress, of the above named Counties; And that the above Abstract is Correct.

Dated at Virginia City, Montana Territory, this Fifth (5th) day of September A.D. 1871.

Jas. E. Callaway
Secty. of Montana Ter.

F. C. Deimling
Deputy U.S. Marshal of the Dist. of Montana

Done in My presence

B. F. Potts
Governor

Proclamation.

Whereas, at a General Election held in the Territory of Montana, on Monday, August the 7th A.D. 1871. in pursuance of law, William H. Clagett received the highest number of Votes cast for Delegate to the Forty Second Congress of the United States from said Territory.

Now Therefore, I, Benjamin F. Potts, Governor of the Territory of Montana, by virtue of the Authority vested in me by Law, do hereby declare that William H. Clagett was on Monday the 7th of August A.D. 1871 duly elected Delegate to the Forty second Congress of the United States, from Montana Territory, for the period of two years.

In Testimony Whereof I have hereunto set my hand and caused the Great Seal of said Territory to be affixed.

Seal.

Done at the Capitol, at Virginia City in Montana Territory, this 6th day of September A.D. 1871. and of the Independence of the United States, the Ninety sixth

By the Governor

B. F. Potts

Secy of Montana Territory

The United States of America
Montana Territory } ss.

I, Benjamin F. Potts, Governor of Montana Territory, do hereby Certify that at a General Election held in said Territory, on Monday August Seventh (7th) Anno Domini 1871, in pursuance of law, William H. Clagett was legally Elected Delegate to represent said Territory in the Forty Second Congress of the United States, He having received the highest number of Votes cast at said Election for said Office.

In Testimony whereof, I have hereunto set my hand and caused the Great Seal of the Territory of Montana to be affixed.

Seal

Done at Virginia City, the Capitol, September the Ninth Anno Domini One thousand, eight hundred and Seventy one; and in the Ninety Sixth Year of the Independence of the United States of America.

B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City Sept. 11th 1871.

Whereas the persons heretofore designated as Commissioners of the Insane for Montana Territory having failed to give Bond and qualify as required by the "Act to provide for the Custody Maintenance and treatment of the Insane in the Territory of Montana" passed by the Sixth Legislative Assembly of said Territory, vacancies now exist in said Board.

Now therefore I, B. F. Potts, Governor of said Territory by virtue of the authority vested in me by the Act of the Legislative Assembly aforesaid, do appoint the following persons to Constitute the Board of Commissioners of the Insane for Montana Territory.

Dr. Charles Mussigbrod, 1st Judicial District.
Daniel A. Steele, 2d " "
Dr. A. Shone, 3d " "

Done at Virginia City the day and Year above written.

B. F. Potts
Governor

By the Governor of Montana Territory

Seal

A Proclamation

The year that is nearing its close has been filled with blessings of health, peace and plenty. While our Divine Master in His wisdom has deemed it just to severely chastise certain sections of our common country, He has been pleased not to lay His chastening hand upon this people. He has lifted His all protecting hand and stayed the progress of pestilence, ere it reached our borders. Our fields and herds have yielded even more abundantly than heretofore. Our population has steadily increased and prospered. The searchers after precious metals have received their meeter rewards. The iron arms of a trans Continental Railroad will soon clasp our mountains and connect our Territory with the two oceans. Churches and Schools have multiplied and the moral sentiment of the people improved. These blessings are the gifts of the Most High God, who hath remembered us in great mercy. It seems to me but proper that these gifts should be reverently and gratefully acknowledged.

I do therefore invite my fellow citizens in every part of the Territory to set apart and religiously observe

Thursday November 30th next

as a day of thanksgiving and prayer to our beneficent Father, for His many gifts vouchsafed to us, during the year about to close and invoke a continuance of His favor and blessings.

In Witness whereof I hereunto set my hand and cause the great seal of the Territory to be affixed

Done at Virginia City, Montana Territory, this, the second day of November in the year of our Lord, One thousand eight hundred and seventy one and of the Independence of the United States the ninety sixth.

By the Governor

B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City Dec. 5th 1871.

To the President of the Council
and Speaker of the House of Representatives.

Mr George Calloway of Virginia City is hereby appointed Private Secretary to the Governor. I ask that he be respected accordingly.

B.F. Potts Governor

Executive Department.
Montana Territory.
Virginia City Dec. 8th 1871.

To
the Legislative Assembly:

I have the honor to transmit hereworth, the report of the Territorial Auditor, showing the result of his efforts to obtain the indebtedness of the several Counties of the Territory.

But one Copy having been furnished this Department, the same is sent to the House of Representatives.

The Auditor has been unable to obtain Reports from but few Counties and those obtained are indefinite and unsatisfactory.

The failure of some of the Counties to report anything like a Correct Statement of the financial condition of said Counties, argues strongly the necessity of additional Legislation, compelling County Commissioners to report annually to the Territorial Auditor, the true financial condition of their respective Counties.

Very Respectfully, &c
B. F. Potts
Governor.

Executive Department
Montana Territory
Virginia City Dec. 8th 1871.

To the General Assembly.

I have the honor to transmit herewith the report of the Board of Commissioners of the Insane, showing the Cost of the Care, Maintenance and Medical treatment of the Insane, by Counties, so far as same has been obtained; also a Copy of the Proceedings of said Board.

But one Copy having been furnished this Department, the same is sent to the Council.

Very Respectfully &c
B. F. Potts
Governor

Treasurer's Office
Virginia City Nov. 20. 1871.

Report of Territorial Treasurer
from July 27th to November 30th 1871, inclusive.

Receipts were as follows.

From Treasurer of Beaver Head Co.	1845	88
" " " Madison "	2541	09
" " " Deer Lodge "	7848	30
" " " Jefferson "	1932	35
" " " Gallatin "	3514	16
" " " Meagher "	1397	00
" " " Missoula "	1913	00
" " " Lewis and Clarke "	12542	60
" " " Choteau "	835	60
	$34369	98
" Ex Ter. Treas. W. G. Barkley	283	58
	$34653	56

Disbursements

By 25% Fund on $34.369.98	$8592.49	
" Amt rec'd from W. G. Barkley Credited to 25% Fund	283.58	
" 5% Treas. fees on 13.189.26	659.46	
" 3% — — — 21.180.72	635.42	
" Warrants redeemed & Int. on same as per Terr. Auditor's receipt	20.495.29	
" Balance on hand to redeem Warrants advertized Nov. 20th 1871.	3987.32	34653.56

Statement of 25% Fund

To 25% of $34.369.98	8592.49	
" Amt rec'd from Ex Treasurer Barkley	283.58	8876.07

Contra

By Coupon Interest due Dec. 1st 1870 paid	7.50	
" Coupon Interest due June 1st 1871 paid	176.25	
" Postage on Coupons from N.Y.	.21	
" Balance on hand to Credit of 25% Fund	$8692.11	8876.07

Balance on hand 25% Fund		8692 11
Of this amount, there will be required to pay		
Outstanding Coupons due June 1st/71	$301.25	
And " " " Dec. 1st "	3746.25	
Leaving Balance to Sinking Fund		
for Redemption of Bonds	4644.61	8692 11
Total amt of Bonds issued to June 13. 1871		65400 00
" " " " Redeemed & Cancelled		15400 00
" " " " Outstanding (unpaid)		50,000 00
" " " " Registered Warrants outstanding not advertised		64565.20
" Interest on " " Computed to Dec. 1. 1871		7544.90
" Indebtedness of Territory not advertised		$122.160 13

(Signed) R. O. Hickman
Territorial Treasurer

The above is correctly
Copied from the official Report
Dec. 16th 1871 B. F. Potts, Gov.

Executive Department
Montana Territory
Virginia City Dec. 12. 1871.

Hon. A. M. Mitchell
President of the Council

Sir.

I have the honor to inform the Legislative Council that I have this day approved C. J. R. No. 2. without "title". Also, C. J. R. No. 3, without title

B. F. Potts
Governor

Executive Department.
Montana Territory
Virginia City, Dec. 16th 1871.

To the Council:

I have the honor to inform the Council, that I have this day approved C.B. No 2. An act for the relief of W. L. Steele. I deem it not improper to state that this act in its present form, belongs to a class of legislation that is dangerous to the best interests of the Territory and should not be further countenanced by your Honorable body. The Legislature should by a General law provide that when the bona-fide owner of a Territorial Bond or Warrant loses the same or it is destroyed without his fault; that before another Bond or Warrant shall issue in lieu of the one lost or destroyed, the owner should be required to satisfy the Territorial Auditor of the loss or destruction of the same; and that he then be required to give Bond to the Territory with two or more Sureties in a sum double the amount of the Bond or Warrant lost or destroyed, to be approved by the said Auditor, stipulating to indemnify the Territory for any loss it may sustain or payments it may be compelled to make, by reason of the Bond or Warrant represented as lost or destroyed, being presented by an innocent holder and paid. I see no reason why you should not by legislation, enforce the same rule against the holders of our Bonds and Warrants that Courts of Justice enforce against the owners of Negotiable paper lost or destroyed. As Evidence that this Class of legislation is unsafe, I have the honor to cite two acts of the Legislature; one found on page 92, Laws of 1869 and page 91 Laws of 1870, granting duplicate and triplicate Warrants to one E. W. Hackett.

I am informed that the triplicate has been paid by the Territory to said Hackett and that the duplicate is now held by an innocent party, who is demanding payment of the same from the Territory.

I approved the Bill aforesaid, because said Steele states positively in his affidavit, that the Warrant was destroyed at a certain time by fire.

B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City Dec. 18. 1871

To the Council.

I have the honor to return to the Council what you are pleased to term a Substitute for H.J.R. No. 2, and a Substitute for H.J.R. No. 3 without my Signature. Clearly under Parliamentary law, these papers cannot after they have the sanction of both houses be termed "Substitutes", but must be either H.J. Resolutions or Council J. Resolutions. The fact that these papers are presented to me as Substitutes, naturally conveys the impression that neither has been adopted by the two Houses; for after a Substitute or an amendment has been adopted, it can no longer be an amendment or Substitute.

My objection is to the form and not to the substance of the Resolutions.

B.F. Potts
Governor

Executive Department
Montana Territory
Virginia City Dec. 16. 1871

To the Council.

I have the honor to inform the Council that I have this day approved C.J.R. No. 5 to provide Committee Room for Legislative Assembly. Also C.J.R. No. 6. without title.

B.F. Potts
Governor

Executive Department
Montana Territory
Virginia City Dec. 19. 1871.

To the Council

I return you C.J.R. No 1. without my signature. The first Communication I had the honor to address to the Legislative Assembly, I took occasion to state that in my opinion, the granting of extra Compensation to certain officers of the national Government and Members of the Legislative Assembly out of the Territorial Treasury, was wrong in principle and should be no longer continued. I still adhere to that opinion. You have in your wisdom been pleased to retain the law granting an extra Compensation out of the Territorial Treasury of Twelve Dollars per day, to each member of your respective bodies, which sum, with an additional per diem of Four dollars, paid by the United States, is certainly ample to enable each member to pay for the Newspapers named in the Resolution and have double the per diem left, than that paid the Members of the Legislatures of the most populous and wealthy States. The expenditure will not fall below Twelve hundred Dollars. This amount may appear insignificant to some, but it will not appear so to the people whose taxes must annually increase, to meet the rapid increase of the expenditures.

I withhold my signature to this Resolution, through no factious spirit, but simply in the performance of my duty as I see it.

Respectfully
B. F. Potts
Governor.

Executive Department
Montana Territory
Virginia City, Dec. 19. 1871.

To the Council.

I have the honor to inform the Council that I have this day approved C.J.R. No 4. without title.

Respectfully
B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City, Dec 19. 1871

Whereas at the October Term of the First Judicial District Court of Montana Territory, within and for the County of Madison in the year of Our Lord, One thousand eight hundred and seventy, (1870) John H. Johnson was found guilty of the Crime of Manslaughter and was sentenced by said Court to be imprisoned in the Territorial Penitentiary for the term of Two years and six Months, where he is now Confined.

And Whereas, such representations have been made by the United States Grand Jury of September Term of the United States District Court, held at Deer Lodge City Montana Ter, 1871, the Honorable Hiram Knowles, United States Judge, William H. Clagett, Representative in Congress, Cornelius Hedges United States District Attorney And One hundred and ninety five (195.) Citizens of Madison and Deer Lodge Counties, that the said John H. Johnson, may with Propriety be pardoned by the Executive Authority of this Territory

Therefore, by virtue of the authority vested in me by the Organic Act of said Territory, I do hereby Grant a full pardon to the said John H. Johnson, and a restoration of Civil Rights; and the said John H. Johnson is hereby released from Confinement.

In Testimony whereof I have hereunto set my Hand and Caused the Great Seal of the Territory of Montana to be hereunto affixed,

Seal.

Done at Virginia City, this Nineteenth day of December, in the Year of Our Lord, One thousand eight hundred and seventy one; and of the Independence of the United States, the Ninety sixth

B. F. Potts Governor

By the Governor

Executive Department
Montana Territory
Virginia City Decr. 20. 1871.

To the Legislative Assembly.

Although there is no law on the Statutes of Montana, requiring the Executive to make a Pardon Report to the Legislative Assembly at each Session, Yet I think it is due to the Representatives of the people, that the Record of Executive proceedings relating to the exercise of the pardoning power should be submitted to them for their Consideration.

Therefore submit the following Pardon Report, for the period Commencing August 29. 1870 and ending December 20. 1871.

J. P. Johnson.

Crime Assault and battery; Sentence, thirty days imprisonment in the Madison County Jail and fined Twenty five Dollars. Convicted at the September Term of the Probate Court of Madison County.

Pardoned October 17, 1870, on the recommendation of the Judge that tried, the District Attorney and divers other good Citizens of Madison County.

James Jamison.

Crime Grand larceny. Sentence imprisonment in the Penitentiary three years. Convicted at the August Term 1869 of the District Court of Madison County.

Pardoned November 3. 1870 on the recommendation of the District Attorney and County officers of Madison County and other good Citizens, on the ground of the good behavior of the prisoner.

James McFarland.

Crime, horse stealing. Sentence two years Confinement in the Penitentiary. Convicted at the July Term 1870 of the District Court of Lewis and Clarke County.

Pardoned March 3rd 1871, on the recommendation of the Grand Jury of the March Term 1871 of the District Court in and for Lewis & Clarke County, the Commissioners of said County, Hon. H. L. Warren Chief Justice and a large number of other Citizens of said County, because of the failing health of the prisoner.

Thomas Sheehan.

Crime, Shooting with intent to Kill. Sentence Two years imprisonment in the Penitentiary.

Convicted at the October Term 1870 of the District Court in and for Gallatin County.

Pardoned on the Recommendation of Physicians who attended

fering from a Complication of dangerous diseases and further imprisonment would seriously endanger his life; and a petition of a large number of the Citizens of Gallatin County.

Charles H. Christenot

Crime, assault and battery. Sentence to pay a fine of Ten Dollars and Costs Amounting to Sixty two Dollars and fifty Cents and to be Confined in Jail until paid. Convicted at the June Term 1871 of the Probate Court of Madison County.

Pardoned and fine and Costs remitted June 24, 1871 on the Recommendation of the Jurors who tried the Case, the Judge and divers good Citizens of Madison County, because said Christenot was poor and without the means to pay the fine and Costs adjudged against him and that his further Confinement in Jail would be an unnecessary expense to the County.

Peter O'Donnell

Crime, drawing and exhibiting a deadly weapon in a Rude and Angry manner. Sentence to pay a fine of Fifty Dollars and Costs Amounting to $204 $\frac{105}{m}$ and to be Confined in Jail until same be paid.

Convicted at the June Term 1871, of the Probate Court of Madison County.

Pardoned July 1st A.D. 1871 on the Recommendation of the Jurors who tried the Case, the Judge and divers other Good Citizens of Madison County, because said O'Donnell was poor and without the means to pay the fine and Costs adjudged against him and that his further Confinement in Jail would be an unnecessary expense to the County. Said fine and Costs were also remitted.

Samuel E. Hughes.

Crime, felonious assault with a Deadly weapon. Sentence imprisonment in the Penitentiary for the Period of one Year. Convicted At the December Term 1870 of the District Court in and for the County of Deer Lodge.

Pardoned July 20. 1871 on the recommendation of the Hon. Hiram Knowles Judge, the District Attorney, Sheriff, Deputy Sheriff, Jailor and divers other good Citizens of said Deer Lodge County.

John H. Johnson.

Crime, Manslaughter. Sentence, imprisonment in the Territorial Penitentiary, for the period of Two years and Six Months. Convicted at the December Term 1870 of the District Court in and for Madison County.

Pardoned December 19 1871 on the Recommendation of the United States Grand Jury at Deer Lodge City, at September Term

H. Clagett, Representative in Congress, Cornelius Hedges United States District Attorney and 195 Citizens of Deer Lodge and Madison Counties.

B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City Dec. 23. 1871

To the House of Representatives

I have the honor to inform the House that I have this day approved H. J. R. No. 4. relating to the Auditors and Treasurers Reports and accounts.

B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City Dec 27. 1871.

To the Legislative Assembly

Your attention is respectfully invited to the Condition of the Territorial Convicts when discharged from the United States Penitentiary. At the time Convicts are admitted to the prison the U. S. Marshal has lately ordered that they be clothed with the prescribed prison clothing and that their old clothing, if of any value, be thoroughly cleansed and carefully preserved for the Convicts when discharged; but as much of the clothing worn by Convicts when admitted is totally worthless, some provision should be made by the Territory to furnish the discharged Convicts such articles of ordinary clothing as may be necessary to afford them a covering.

The Government authorizes the U. S. Marshal to expend the sum of Ten Dollars during the summer months and Fifteen Dollars during the Winter for clothing for each discharged U. S. Convict - The rule prevails I believe in all the States, that each discharged Convict shall be furnished at the expense of the State with a Coarse suit of Clothing.

I therefore respectfully recommend that you provide by law for furnishing each Territorial Convict when discharged from the U. S. Penitentiary at Deer Lodge City, such clothing as may be necessary, not exceeding in Cost the sum of Fifteen Dollars.

attention to the necessity of additional legislation authorizing some officer or board of officers to contract with the United States for the custody and maintenance of all persons sentenced to confinement in the U.S. Penitentiary for a violation of the laws of the Territory. The present contract will expire July 1st next, and I shall as one of the contracting parties, refuse to renew the contract at that time unless authorized by a specific enactment.

Not having referred to these subjects in my first communication, I have taken the liberty to do so now.

Respectfully

B.F. Potts
Governor

Executive Department
Montana Territory
Virginia City Decr 27, 1871.

To the House of Representatives

I have the honor to inform the House of Representatives that I have this day approved H.B. No 2, Entitled An act to amend an Act entitled an Act concerning Attorneys and Counsellors at Law, approved January 12. 1865; H.B. No 5 Entitled an act regarding Miners, prospectors and others; and also H.B. No 10. Entitled an act to prevent Swine from running at large.

Respectfully

B.F. Potts
Governor

Executive Department
Montana Territory
Virginia City December 28th 1871

To the House of Representatives.

I have the honor to inform the House of Representatives, that I have this day approved H.B. No 12. entitled an act to amend an act entitled an act to provide for and regulate the fees & charges for publication of legal documents, approved January 9. 1865

B.F. Potts
Governor

Executive Department
Montana Territory
Virginia City Decr 28. 1871

I this day received the resignation of Daniel A. Steele Esq. one of the Commissioners of the Insane of this Territory.

B.F. Potts Governor.

Executive Department
Montana Territory
Virginia City December 29. 1871

To the House of Representatives.

I have the honor to return to the House of Representatives, H.B. No 7. without my approval. I have examined the Codification of the Civil Practice Act, and find the provisions of this Bill incorporated in said Codification. So, if this Bill was to become a law, in its present form, it would have to be repealed by the passage of the Codified Civil Practice Act. I think it is desirable that No repealed Acts should be found at length in the Volume, containing the laws of the present Session of the Legislative Assembly.

For this reason, I return the bill to the House for its further Consideration.

B.F. Potts
Governor.

Executive Department
Montana Territory
Virginia City Decr 29th 1871

To the Council.

I have the honor to inform the Council that I have this day approved C.B. No 9, Entitled an Act to define the boundary line of Deer Lodge County; also C.B. No 27, entitled An Act to amend an Act entitled An Act Concerning Conveyances.

Respectfully B.F. Potts
Governor.

Executive Department
Montana Territory
Virginia City Dec. 30. 1871.

To the House of Representatives

I have the honor to inform the House of Representatives that I have this day Assented H.B. No 13. An Act entitled an Act authorizing the County Commissioners of Missoula County to levy a Special tax for the purpose of building and repairing bridges. Also H.B. No 24. Entitled an act to prescribe the time of the holding of the terms of the Supreme Court.

Respectfully
B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City January 2. 1872.

To the House of Representatives

I have the honor to inform the House of Representatives, that on the 30' day of December 1871 I approved H.B. No 14, An act entitled An Act to encourage the introduction of blooded Stock.

Respectfully
B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City January 2. 1872

To the Council.

I have the honor to inform the Council that I have this day assented C.B. No 5, Entitled an Act relating to the Killing of Game and the Catching of fish.

Respectfully
B. F. Potts
Governor

Executive Department.
Montana Territory
Virginia City January 3rd 1872.

To the House of Representatives

I have the honor to return to the House of Representatives H.B. No 9. an Act entitled an Act for the Relief of Sample Orr, witholding approval. On the 16th day of December 1871, I sent to the Council, the following Message, viz:

"To the Council

I have the honor to inform the Council, that I have this day approved C.B. No 21. an act for the relief of W. L. Steele. I deem it not to improper to state that this act in its present form, belongs to a class of Legislation, that is dangerous to the best interests of the Territory and should not be further countenanced by your Honorable body. The Legislature should by a General law provide, that when the bona fide owner of a Territorial Bond or Warrant loses the same, or it is destroyed without his fault, that before another Bond or Warrant shall issue in lieu of the one lost or destroyed, the owner should be required to satisfy the Territorial Auditor of the loss or destruction of the same; and that he then be required to give Bond to the Territory with two or more sureties, in a sum double the amount of the Bond or Warrant lost or destroyed, to be approved by the said Auditor, stipulating to indemnify the Territory for any loss she may sustain or payments she may be compelled to make, by reason of the Bond or Warrant represented as lost or destroyed being presented by an innocent holder and paid. I see no reason why you should not by legislation, Enforce the same Rule against the holders of our Bonds and Warrants that Courts of Justice enforce against the owners of Negotiable paper lost or destroyed. As evidence that this Class of legislation is unsafe, I have the honor to cite two Acts of the Legislature, one found on page 92, Laws of 1869 and page 91, Laws of 1870, granting duplicate and triplicate Warrants to one E. M. Haskell.

I am informed that the triplicate has been paid by the Territory to said Haskell and that the duplicate is now held by an innocent party who is now demanding payment of the same from the Territory.

I approved the Bill aforesaid because said Steele states positively in his affidavit, that the Warrant was destroyed at sea [illegible]

I understand that the Hon George W. Stapleton, Member of the Council from the County of Beaverhead, introduced into the Council a Bill covering the suggestions contained in said Message and that the Bill has passed both Houses and now awaits the signature of the Executive, to make it a law.

The relief sought in this Bill, can be readily obtained (if meritorious) under the general law; and with perfect safety to the Territory. I therefore return the Bill to the House, for its further consideration.

Respectfully

B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City Jany 4. 1872

To the House of Representatives

I have the honor to inform the House of Representatives, that I have this day approved H. J. R. No 6, to authorize the Joint Committee on Enrollment to employ a Clerk or Clerks for certain purposes. Also H. B. No 43, Entitled an Act to attach the Counties of Chouteau, Bigfork and Dawson to other Counties for judicial purposes.
Also H. B. No 28, Entitled An Act to provide for reporting of the decisions of the Supreme Court.
Also H. B. No 27, an Act to amend an Act, entitled An Act to provide for the formation of Corporations for certain purposes, Approved Dec. 13. 1867.

Respectfully

B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City January 5. 1872.

To the House of Representatives.

On the 4th day of January A.D. 1872, I approved H. B. No 16, Entitled An Act concerning the rights of Way and other necessary means for the development of mines.

Respectfully

B. F. Potts
Gov.

Executive Department
Montana Territory
Virginia City Jany. 6. 1872

To the Council.

I have the honor to inform the Council, that I have this day approved C.B. No. 18, an Act to amend an Act entitled An Act relating to Counties and County officers; approved February ninth 1865. Also C.B. No. 23, Entitled an Act to authorize the issue of duplicate Warrants by the Territorial Auditor in Certain Cases. Also C.B. No. 28, Entitled an Act relative to the Arsenals and Military Stores of Montana Territory.

Respectfully

B.F. Potts
Governor.

Executive Department
Montana Territory
Virginia City Jany 8. 1872

To the Council.

C.B. No. 14, Entitled an Act to provide for the Compensation of Newton Dickinson for Services rendered the Territory of Montana, is hereby Returned to the Council without my approval.

The passage of this Bill establishes a dangerous precedent for the future and offers a premium for negligence on the part of officers in charge of the County Jails of the Territory. The Compensation allowed by this Bill is so large, that it will be an inducement for officers who are not above Suspicion, to Corruptly or negligently permit prisoners to escape, that they may pursue and recapture them and demand a thousand dollars for their Services and Cite the Act of the Legislature allowing Newton Dickinson One thousand Dollars for Similar Services as a precedent. No such precedent should be established to be cited for evil only in the future. Pass this Bill, and it is only the opening of a new avenue through which the hard earnings of the people will pass. I respectfully ask the Legislative Assembly to pause and reconsider their action on this Bill.

Respectfully

B.F. Potts
Governor.

Executive Department
Montana Territory
Virginia City January 8th 1872.

To the Council.

I return to the Council C.B. No. 29 Entitled An Act in relation to litigants, without my signature. The operation of this Bill, will trammel the official acts of certain officers and can serve no good purposes. Sheriffs are required to advertize and sell property on execution in the manner and form prescribed by law and if they fail to comply with the law, they are liable on their official bonds to the party injured. This Bill provides that the litigants or their Attorneys of record shall control the advertisements of the Sheriffs and yet they are held responsible that the advertising has been done according to Law.

If this Bill is intended to serve any Good purpose, it should provide that Sheriffs should be released from all legal responsibility for a non compliance with the law relating to the advertisement of property to be sold on Execution.

The plaintiff in an action has always been authorized to control the necessary advertisement before judgment, but for the first time in the history of any State or Territory, so far as my knowledge extends, has the legislature assumed to authorise either party to an action to control any advertisement after judgment has been rendered.

I have been unable to discover any good reason for the passage of this Bill, nor have I heard a reason advanced by any person why such a Bill should become a law.

I return the Bill to the Council for its further consideration.

Respectfully

B.F. Potts
Governor

Executive Department
Montana Territory,
Virginia City January 8. 1872

To the Legislative Assembly.

Believing immigration to be a subject of great importance to the Territory and regarding its encouragement as second to no other interest confided to your hands, I am solicitous that you should at this session enact such legislation as will readily attenuate in attracting to our Territory the attention of that large number of people who annually emigrate Westward. I regard economy of expenditure as an essential necessity of our Legislation; and the question presents itself, how we can with a small expenditure of money, arrest the widest attention and most thoroughly distribute information throughout the Eastern portions of this Continent and Europe, concerning the condition, resources (mineral and agricultural) climate and geography of Montana and show the remarkable inducements it offers to all industrial classes to settle here. It has seemed to me that the fact that there is no published circular or pamphlet in which this information is contained, is, considering all the circumstances of the case remarkable. We have within our Territory persons entirely competent by observation, culture and practical experience to prepare such a document, wherein all this and other information, touching mining, agriculture, stock raising, merchandizing prices, our past history and future promise would be set forth thoroughly and succinctly. Such a document distributed in the East, would repay each month in the year, double its entire cost.

Much of my time during my residence in Montana, has been devoted to replying to interrogatories addressed to me, concerning such matters; I have allowed no such enquiries to remain unanswered. Many of our public spirited citizens have long been and must still longer continue to be so engaged.

But nothing that can be done by way of correspondence, will be so useful, as the publication of statistical and descriptive information and its distribution through efficient channels, where its influence will be effectual —

Should your honorable body pass an Act, offering a reward, not exceeding Five hundred Dollars, for the best prize essay, upon the subject herein proposed, it would doubtless bring us the information in the form desired. A board to determine the respective merits of the Essays, above the influence of personal considerations, could be easily secured and upon its decision the essay accepted should become the property of the Territory.

The Northern Pacific Rail Road Company owns

ities of land in Montana and with us is largely interested in their occupancy and cultivation — and I speak from personal knowledge when I say, it is eager to secure the information I have suggested and in the form proposed; and on its receipt will gladly print, free of cost, to us; and scatter the same broadcast through many lands and in many tongues —

I am satisfied that this Co-operation with the Northern Pacific Rail Road Company will be effectual and that in no other way can we so cheaply minister to our own prosperity — In addition to its own facilities for distributing the same, I doubt not that the Rail Road Company will gratuitously furnish our people with the necessary copies wherewith to answer the many Enquiries addressed to them —

The plan of obtaining information by prize essays, was adopted by the State of Minnesota several years since, with very satisfactory results —

Your attention is also invited to the propriety of the passage of the bill relating to the Collection of Statistics introduced by the Honorable Member from the County of Beaver Head; I cannot think there can be any difference of opinion as to the necessity of the passage of the Bill.

I shall be glad to Co-operate with You in Carrying out the foregoing suggestions.

Respectfully

B. F. Potts

Governor

Executive Department
Montana Territory
Virginia City January 8th 1872

To the House of Representatives.

I have the Honor to inform the House of Representatives, that I have this day approved H.B. No. 34 Entitled an act defining the duties of Collectors, Clerks and other County officers; — Also H.B. No. 38, entitled an act, to authorize the representatives of persons deceased, to maintain Actions for injuries to the deceased in certain cases. Also H. J. R. No. 7 authorizing the Secretary of the Territory to discharge Certain duties.

Respectfully

B. F. Potts

Governor

Executive Department
Montana Territory,
Virginia City January 8th 1872.

To the Council.

I have the honor to inform the Council, that I have this day approved H.B. No. 31, an act to provide for the pay of the Members, officers and Employés of the Legislative Assembly of the Territory of Montana.

Respectfully
B.F. Potts
Governor

Executive Department.
Montana Territory
Virginia City January 9. 1872.

To the Council.

I return to the Council C.B. No. 29, entitled, an act in relation to litigants, without my signature.

The operation of this Bill, will trammel the official acts of certain officers and can serve no good purpose. Sheriffs are required to advertise and sell property on execution, in the manner and form prescribed by law; and if they fail to comply with the law, they are liable on their official Bonds, to the party injured. This Bill provides that the litigants or their attorneys of record shall control the advertisements of the Sheriffs and yet they are held responsible, that the advertising has been done according to law. If this Bill is intended to serve any good purpose, it should provide that Sheriffs be released from all legal responsibility for a non compliance with the law relating to the advertisement of property to be sold on Execution. The plaintiff in an action has always been authorized to control the necessary advertisement before judgment; but for the first time in the history of any State or Territory, so far as my knowledge extends has the Legislature assumed to authorize either party to an action, to control any advertisement after judgment has been rendered.

I have been unable to discover any good reason for the passage of this bill, nor have I heard a reason advanced by any person, why such a bill should become a law.

I return the bill to the Council for its future consideration.

Respectfully
B.F. Potts
Governor

Executive Department
Montana Territory
Virginia City, January 9. 1872.

To the Legislative Assembly,

I have received from the Chief Clerk of the Council, the following Communication, viz:

"Council Chamber
January 6th 1872

To His Excellency, B. F. Potts,
Gov. of Montana.

I am instructed by the Council, to inform Your Excellency, that the following Concurrent Resolution, has this day passed the Council and House of Representatives of the Territory of Montana, to wit,

"Resolved by the Council, the House of Representatives Concurring, that his Excellency the Governor be and he hereby is respectfully requested to inform the Legislative Assembly, by authority of what law he appointed and Commissioned Richard O. Hickman as Territorial Treasurer, for the term of two years in vacation of the legislative Council"

Respectfully Your Obt Svt
R. E. Frick
Chief Clerk of the Council.

In reply to the Enquiry contained in the Resolution, I have the honor to inform the Legislative Assembly, that by virtue of the authority vested in me, by the organic act of the Territory as the Executive of the same, I did on the 20th day of July A.D. 1871 appoint and Commission Richard O. Hickman Esq. a Citizen of Madison County, Montana Territory, Territorial Treasurer for the period of Two years, as fixed by Territorial law, subject to the advice and Consent of the Legislative Council at its next Session thereafter. The Executive action in making the appointment referred to in the Resolution, has received the judicial Sanction of the Majority of the present Supreme Court, of the Territory; and for further information in reply to the Enquiry, I have the honor to refer the Legislative Assembly to the very able opinion of the late Chief Justice of the Supreme Court of Montana, Concerning the Subject of your Enquiry, to be found on pages 46-7-8-9 of the Council Journal of the Sixth Session of the Legislative Assembly of this Territory, in the Case of The People of the Territory of Montana, Ex rel. James L. Fisk and James L. Fisk, plaintiff vs Wm H. Rodgers defendant.

The Executive [illegible] be made

the appointment of Mr. Hickman, that he was clothed with ample authority in the premises and has since had no occasion to change his mind on the subject.

I am Very Respectfully Your Obt Servant.
B.F. Potts
Governor

Executive Department,
Montana Territory
Virginia City January 9. 1872.

To the Council.

I have the honor to inform the Council, that I have this day approved C.J.M. No. 2, relating to authority to lease School lands in Montana.

Respectfully
B.F. Potts
Governor

Executive Department
Montana Territory
Virginia City January 9. 1872

To the presiding officer of the Council,

Sir

I have the honor to nominate and by the advice and Consent of the Legislative Council, appoint Solomon Star of County, Territorial auditor for the period of two years; and Richard O. Hickman of Madison County, Territorial Treasurer, for the period of two years from July 20th A.D. 1871.

Respectfully
B.F. Potts
Governor

January 12. Communication from the Council that they had Confirmed the appointment of Richard O. Hickman as Ter. Treasurer; and refused to confirm Solomon Star as Ter. Auditor.

Executive Department
Montana Territory
Virginia City, January 9. 1872.

To the House of Representatives.

I have the honor to inform the House of Representatives, that I have this day approved H.B. No. 33, Entitled, An Act relating to County Commissioners — Also H.B. No. 58, entitled An Act Concerning the appropriation of monies collected for license taxes.

Respectfully
B.F. Potts
Governor

Executive Department,
Montana Territory
Virginia City, January 9. 1872,

To the House of Representatives.

H.B. No 8, An Act, entitled An Act, to prevent Bulls from running at large at certain seasons of the year, is hereby returned to the House of Representatives without the signature of the Executive. The Executive believes the Bill too vague and uncertain in its provisions to restrain the animal intended, be he large or small. The only section in the Bill that has any certainty, is the one that is fraught with the greatest mischief. If the bill was certain in its provisions, it would probably accommodate a select few but it would certainly work a great inconvenience and hardship to the many. Legislation should be so framed as to accommodate the many and not the few.

You have already provided by law for the Exemption of all blooded stock from taxation for the period of one year after it has arrived in the Territory; which exemption, in my opinion is a sufficient protection of the monopoly of blood.

I can see no good reason for the passage of the Bill and therefore return it to the House of Representatives for its further consideration.

Respectfully

B.F. Potts
Governor

Executive Department
Montana Territory
Virginia City, January 10th 1872

To the Council

I have the honor to inform the Council, that I have this day approved C.B. No. 32, Entitled an Act Concerning licenses. Also C.B. No. 30, Entitled An Act to divide the Counties of this Territory into Revenue districts and provide for the election of officers therein. Also, C.J.R. No 10, without title. Also C.B. No. 36, entitled An Act Concerning Estrays. Also C.B. No. 33, Entitled An Act in relation to brands and marks.

Respectfully

B.F. Potts
Governor

Executive Department
Montana Territory
Virginia City January 10th 1872

To the House of Representatives:

I have the honor to inform the House of Representatives, that I have this day approved H.B. No 29, An Act, to provide for the Compensation of Lewis McMurtry as District Attorney under the appointment of the Court for the Second Judicial District of the Territory of Montana.

Respectfully

B.F. Potts
Governor

Executive Department
Montana Territory.
Virginia City, January 11th 1872,

To the House of Representatives.

I have the honor to inform the House of Representatives, that I have this day approved H.B. No 42 An Act Concerning County Warrants and for other purposes. Also, H.B. No 61, An Act to provide for the Redemption of the funded debt of Lewis and Clarke County. Also, H.B. No 49, An Act to amend An Act, entitled An Act Concerning limitations, approved February 9. 1865.

Respectfully

B.F. Potts
Governor

Executive Department,
Montana Territory
Virginia City, January 11th 1872.

To the House of Representatives:

I have the honor to return to the House of Representatives H.J.R. No 9. in relation to pay for newspapers, without the Executive Approval.

This Joint Resolution provides for the same subject matter that was provided for in C.J.R. No 1., to which the Executive interposed his objections and the same were sustained by the House of Representatives.

I have the honor to call the attention of the Legislative Assembly to the Executive objections to said C.J.R. No 1 under date of December 19. 1871. By an examination of this Resolution, the amount [illegible] de under it [illegible]

is far in excess of the amount stated as the probable expenditure under C.J.R. No 1.—

The expenditures of the present Session of the Legislative Assembly, are without precedent in the history of Montana, and I now beg the Legislature to pause a moment before adding new burdens upon the people—

I do not object to this Resolution from any personal feeling, but because I believe it unjust to the people.

Respectfully

B.F. Potts
Governor.

Executive Department
Montana Territory
Virginia City January 12th 1872.

To the House of Representatives.

I have the honor to inform the House of Representatives, that I have this day approved H.B. No. 25. An act to provide for the forfeiture to the Territory of placer mines held by aliens— Also H.B. No. 6, an act to provide for a System of Common Schools.
Also H.B. No. 32. an act providing for the Collection of Revenue— Also H.J.R. No. 10, granting the Governor Certain powers.

Respectfully

B.F. Potts
Governor.

Executive Department
Montana Territory,
Virginia City, January 12, 1872

To the Council—

I have the honor to inform the Council that I have this day approved C.B. No. 43, an act to provide for Compensation of Code Commission.
Also on the 11th day of January A.D. 1872 I approved C.B. No 50, an act to amend an act, entitled, An act relative to elections on folio 375 of the Statutes of 1864—5.

Respectfully

B.F. Potts
Governor

Executive Department
Montana Territory
Virginia City January 12th 1872.

To the Legislative Assembly.

I have the honor to transmit to the Legislative Assembly, for the information of the same, a Copy of a letter received by the Executive, from Col. John S. Loomis Land Commissioner of the Northern Pacific Rail Road Company under date of December 27. 1871 – viz:

Northern Pacific Rail Road Company,
Land Department – 120 Broadway New York,
December 27th 1871.

Hon. B. F. Potts
Executive Mansion, Virginia City Montana.

Sir:

I have the honor to acknowledge receipt of your Biennial Message, to the 7th Assembly &c for which please accept thanks. By your Courtesy I have in the Library of this Department, copies of the Laws of Montana, of the 1st 5th & 6th sessions respectively.

It would afford much pleasure to complete the set and to add to our Collection any Executive documents that your Excellency may kindly direct to be forwarded, as also any from private sources.

It is proposed by this Department, to publish a special pamphlet on Montana, during the present winter or incoming Spring, with a view of informing the intending emigrants of the older States and Territories, as to the Natural resources, Soil, Climate &c &c of your Wonderful Country.

The Correspondence of this office indicates a wide spread and increasing desire to know more of Montana, throughout the entire Country not only, but also in Europe. It will be the Constant aim of this Department to supply information of the most accurate character and to seek to induce such an influx of immigrants into Montana, as may be notable in the future history of the Country, for enterprise, intelligence and all elements of moral worth.

In the assurance that your own position will cordially Co-operate in this behalf.

I am Sir Very truly Yours,
John S. Loomis
Land Commissioner, by Dudley.

Respectfully

B. F. Potts

Executive Department.
Montana Territory
Virginia City, January 12th, 1872.

To the Legislative Assembly

H.B. No 45, An Act to authorize the Governor to contract for the Keeping, clothing and maintenance of Territorial Convicts and to furnish them clothing when discharged, has become a law, by which the Governor is limited to One dollar and fifty cents per day in Warrants in making a Contract with the United States for the Keeping of the Territorial prisoners. I am informed by the United States Marshal, for the District of Montana, that the Government will not make a Contract for the sum stated in the said Act, but that One dollar and fifty cents in Currency would probably be sufficient. I do not see how the Territory can have any discretion in the premises, as the United States will require the Territory to pay only the net cost of keeping the Territorial Convicts.

I submit to the Legislative Assembly, whether it would not be better for the Territory to pay the United States One dollar and fifty cents in Currency, per day, for each Convict Confined in the United States Penitentiary, than to return them to the County Jails and pay Sheriffs four or five dollars per day, as heretofore. I regard this as an important question and should receive the immediate attention of the Legislative Assembly.

Respectfully

B. F. Potts
Governor.

Executive Department,
Montana Territory
Virginia City, January 12. 1872

To the presiding Officer of the Council.

Sir

I have the honor to nominate and by the advice and Consent of the Council appoint John Donegan Esq of Madison County, Territorial Auditor for the period of two years. Also, Cornelius Hedges Esq, of Lewis and Clarke County, Superintendent of Public Instruction, for the period of two years.

Respectfully

B. F. Potts
Governor.

January 12th 1872
Communication from the Council, that they had refused to confirm the appointments of John Donegan and Cornelius Hedges

Executive Department,
Montana Territory
Virginia City January 12, 1872.

To the Council.

I have the honor to inform the Council, that I have this day approved C.J.M. No. 3. Also, C.J.R. No 13, without title: Also C.J.R. No 12, without title; Also C.B. No. 41, An Act to amend an Act, to authorize George Roff and John A. Creighton and their associates, to establish and maintain a Toll Road and Bridge in Beaver Head County, approved December 3. 1866. Also, C.B. No. 49. an act relating to Counties and County officers - Also, C.J.M. No. 5 - and also, C.B. No. 4, an Act to amend an Act, entitled An Act relative to Elections. Approved January 17. 1865.

Respectfully

B.F. Potts
Governor

Executive Department.
Montana Territory
Virginia City January 12. 1872

To the House of Representatives.

I have the honor to inform the House of Representatives, that I have this day approved H.B. No. 47 an Act to provide for the Collection of Statistics of Montana. Also H.B. No. 44, an Act, amendatory of an Act, Entitled An Act, relating to Counties and County officers approved February 9. 1865 - Also, H.B. No. 49, an Act Concerning Certain Powers duties and fees of the Secretary of the Territory. and also, H.B. No. 64, an Act for the Relief of Missoula County.

Respectfully

B.F. Potts
Governor

Executive Department,
Montana Territory
Virginia City January 12, 1872

To the Council.

I have the honor to inform the Council, that I have this day approved C.B. No. 47. An Act Concerning last Wills and Testaments; Also C.B. No. 48, an act in relation to Executors and Administrators - Also C.J.M. No. 4 - Respectfully

B.F. Potts Gov.

Executive Department,
Montana Territory
Virginia City January 12, 1872.

To the House of Representatives

I have the honor to inform the House of Representatives that I have this day approved H.B. No. 56, entitled Criminal Practice Act.

Respectfully

B.F. Potts
Governor

Executive Department
Montana Territory
Virginia City January 12, 1872

To the House of Representatives.

I have the honor to inform the House of Representatives, that I have this day approved H.B. No. 55, An Act Concerning Crimes and punishments – Also H.B. No. 63, An Act to provide Compensation to A.M. S. Carpenter for services rendered to the Territory of Montana, Also H.B. No. 65, An Act to provide against the evils resulting from the sale of intoxicating liquors, in the Territory of Montana.

Respectfully

B.F. Potts
Governor.

Executive Department,
Montana Territory,
Virginia City January 12th 1872.

To the Council.

I have the honor to inform the Council, that I have this day approved C.B. No. 53, An Act, to amend an act to locate the Seat of Government, in and for the Territory of Montana, passed January 24, 1865.

Respectfully

B.F. Potts
Governor.

Executive Department,
Montana Territory
Virginia City January 12th 1872.

To the Council.

I have the honor to inform the Council, that I have this day approved C.J.R. No. 21, without title. Also, C.J.R. No. 15, without title.

Respectfully

B.F. Potts
Governor

Executive Department,
Montana Territory
Virginia City, January 12. 1872.

To the Council.

I have the honor to inform the Council, that I have this day approved C.J.R. No. 16, in relation to the keeping, Clothing and Maintenance of Territorial Convicts. Also, C.B. No. 46, an act, to authorize several Counties of this Territory to change their County Seats on certain Conditions. Also, C.B. No. 35, entitled Civil Practice act. Also C.B. No. 59, an act revising, re-enacting and Codifying the general and permanent laws of Montana Territory.

Respectfully

B.F. Potts
Governor

Executive Department,
Montana Territory
Virginia City January 12th 1872

To the House of Representatives.

I have the honor to inform the House of Representatives, that I have this day approved H.B. No. 26, An Act, to amend an Act, defining the Council and Representative Districts of the Territory of Montana, and apportioning the Members of the Legislative Assembly thereof — And also, H.J.R. No. 17. to pay Assistant Clerks for Services rendered.

Respectfully

B.F. Potts
Governor

Executive Department,
Montana Territory
Virginia City January 12. 1872.

To the Presiding Officer of the Council.

Sir.

I have the honor to nominate and by the advice and Consent of the Council appoint Hon. Robert Fisher of Jefferson County, Territorial Auditor to serve for the period of two years.

Respectfully

B.F. Potts
Governor

January 12. 1872; Communication from the Council, that they had refused to confirm Hon Robert Fisher as said Territorial Auditor.

Executive Department.
Montana Territory
Virginia City, January 12 1872.

To the Presiding Officer of the Council.

Sir.

I have the honor to nominate and by the advice and Consent of the Council appoint John McGettrick Esq. of Lewis and Clarke County, Territorial Auditor, to serve for the period of two years.

Respectfully

B.F. Potts
Governor.

January 12. 1872: Communication from the Council, that they refused to Confirm the appointment of John McGettrick as said Territorial Auditor.

Executive Department,
Montana Territory
Virginia City, January 12, 1872.

To the Presiding Officer of the Council.

I have the honor to nominate and by the advice and Consent of the Council appoint Nicholas Carey Esq. of Madison County, Territorial Auditor to serve for the period of two Years.

Respectfully,

B.F. Potts
Governor

January 12th 1872: Communication from the Council, that they refused to confirm the appointment of Nicholas Carey, as said Territorial Auditor

Executive Department.
Montana Territory
Virginia City January 12. 1872

To the Presiding Officer of the Council.

Sir

I have the honor to nominate and by the advice and Consent of the Council appoint, Andrew O'Connell Esq. of Lewis and Clarke County, Territorial Auditor to serve for the period of Two years.

Respectfully

R. F. Potts
Governor

January 12, 1872. Communication from the Council, that they had refused to confirm the appointment of Andrew O'Connell, as said Territorial Auditor.

Executive Department
Montana Territory
Virginia City, January 15th 1872.

By virtue of the authority vested in me, by the Organic Act of the Territory, as Governor of the Same, I do hereby appoint and Commission Cornelius Hedges Esq: of Lewis and Clarke County, Montana Territory, to be Superintendent of Public Instruction for said Territory, for the period of two years, unless sooner removed, according to Law; subject to the advice and Consent of the Legislative Council, at its next Session.

Seal.

Given under my Hand and the Great Seal of the Territory aforesaid, the day and year above written.

R. F. Potts
Governor

Executive Department
Montana Territory
Virginia City January 16. 1872

By and with the advice and Consent of the Legislative Council I do this day Commission Richard O. Hickman Esq: of Madison County, Territorial Treasurer, for the term of two Years from July 20. A.D. 1871.

Given under my Hand and the Great Seal of the Territory aforesaid, the day and year above written.

Seal

B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City January 20. 1871

The Resignation of Hon. C. J. Kinney Member of the Legislative Council from the first Council District was this day received by this Department; and the said Resignation accepted, to date this day.

B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City January 20. 1872

George Callaway is appointed to take charge of and have the Care and Custody of the Arsenal at Virginia City and the Ordnance therein contained. He will at as early a date as possible Collect all the arms &c heretofore stored at Helena and place the same in said Arsenal at Virginia City

B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City, January 25, 1872

Whereas the Governor of the Territory of Montana did on the 21st day of January A.D. 1872 under the provisions of Sec. 301 of the Criminal Practice Act of said Territory offer a Reward of Five hundred ($500.00) Dollars for the Apprehension and delivery to the Sheriff of Madison County in said Territory of the following named persons, viz:
Charles Slater, Arthur Putnam and James Wright; said persons being charged with a felony under the laws of said Territory and having fled from justice.
Now therefore, I James E. Callaway Secretary and acting Governor of said Territory do hereby certify that the said Charles Slater, Arthur Putnam and James Wright have been apprehended and are now in the custody of the Sheriff of said Madison County and said Sheriff is entitled to said Reward of Five hundred Dollars.

Jas. E. Callaway
Secy & Acting Governor

Executive Department
Montana Territory
Virginia City Feby 3d 1872

Whereas, there being but one Commissioner in the County of Choteau and Territory of Montana and there is no lawful power or authority in said County to appoint other Commissioners and whereas the Public Service requires that a Second Commissioner be immediately appointed in and for said County
Now Therefore I James E. Callaway acting Governor of said, by virtue of the power and authority in me vested do hereby appoint John W. Powers of Fort Benton Choteau County Montana Territory to be and act as County Commissioner for said County of Choteau for during and until the next general election in said County.
In Testimony Whereof I have hereunto set my hand and affixed the Great seal of said Territory. This the 3d day of February A.D. 1872

Seal

Jas. E. Callaway

Executive Department
Montana Territory
Virginia City, April 22. 1872

Whereas at the May Term 1871 of the District Court held in and for the County of Deer Lodge, in this Territory, Ah Waw was then and there convicted of the crime of an assault with intent to kill; and was sentenced by said Court to imprisonment in the Penitentiary of Montana for the period of one year.
And Whereas, Such representations have been made by William F. Wheeler Esq. United States Marshal of the good conduct of said Convict and his strict observance of the rules of the Penitentiary that it is considered that the said Ah Waw may be, with propriety, pardoned by the Executive authority of this Territory.
Now therefore, by virtue of the authority vested in me by the Organic Act of this Territory, I do hereby grant full pardon to said Ah Waw, and do by these presents release him from said imprisonment and from all liability under the aforesaid Sentence.
In Testimony whereof, I have hereunto set my hand and caused the Great Seal of the Territory to be hereunto affixed.
Done at Virginia City this Twenty second day of April, 1872 and of the Independence of the United States the Ninety sixth.

Seal

B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City April 22. 1872.

Whereas at the December Term 1870 of the District Court held in the County of Deer Lodge and within and for the second Judicial District of Montana, James Thompson, was convicted then and there of the crime of Horse stealing and was sentenced by said Court to Confinement in the Territorial Penitentiary; for the period of One Year and six Months.
And Whereas such representations have been made by Hon. Hiram Knowles Judge of the said District Court, for the second Judicial District of Montana Territory and William F. Wheeler Esq. United States Marshal, that because of the uniform good

Conduct of the said Convict and his strict observance of the Rules of the Penitentiary, the said James Thompson may be, with propriety, pardoned by the Executive authority of this Territory.

Now Therefore, by virtue of the authority vested in me by the Organic act of this Territory, I do hereby grant full pardon to said James Thompson and a restoration to Civil rights, to take effect upon April 29. 1872; and do order that upon said April 29th 1872, he be released from said imprisonment and from all liability under the aforesaid Sentence.

In Testimony whereof I have hereunto set my hand and caused the Great Seal of the Territory of Montana to be hereunto affixed.

Seal

Done at Virginia City, this Twenty second day of April, in the Year of Our Lord one thousand Eight hundred and Seventy two, and of the Independence of the United States, the ninety sixth.

B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City May 30th 1872.

Whereas at the Nov. Term 1871 of the District Court for the Third Judicial District of Montana Territory, held in and for the County of Lewis and Clarke, Thomas Coatsworth was then and there Convicted of the Crime of Manslaughter and was sentenced by said Court, to imprisonment in the Territorial Penitentiary for the period of two years.

And Whereas, such representations have been made to me by the Hon. D. S. Wade, Chief Justice of Montana, William F. Wheeler Esq United States Marshal, J. A. Johnston Esq, late District Attorney for said 3d Judicial District, W. L. Steele M.D. late Sheriff of said Lewis and Clarke County, the United States Grand Jury of the April Term 1872, for the 2d Judicial District and divers others, good Citizens of Deer Lodge County, together with ten of the Petit Jury who tried the case, that because of the uniform good Conduct of the said Convict, his strict observance of the rules of the Penitentiary and also the fact that said Convict is afflicted with Pulmonary Consumption and further Confinement will materially shorten his life, the said Thomas Coatsworth is deemed a proper object for Executive Clemency.

Now [illegible]

vested in me by the Organic Act of this Territory, I do hereby grant full pardon to the said Thomas Coatsworth and a restoration to civil rights and do order that he be released from said imprisonment and from all liability under the aforesaid sentence.

In Testimony whereof, I have hereunto set my hand and caused the Great Seal of the Territory of Montana, to be hereunto affixed.

Seal

Done at Virginia City, this Thirtieth day of May, in the Year of Our Lord, One thousand Eight hundred and Seventy two and of the Independence of the United States the Ninety sixth

B.F. Potts
Governor

Application for pardon of George McRand, alias "Jack Rand"

A petition signed by 75 citizens of Laramie County, Colorado Territory, was filed in this Department May 10th 1872, praying the pardon of George McRand, alias Jack Rand, convicted of Manslaughter, in the County of Lewis and Clarke and now confined in the U.S. Penitentiary at Deer Lodge City; After due consideration by the Governor, the prayer of the petitioners is refused, because in the judgment of the Executive, the said Rand is not a proper subject for Executive Clemency.

Virginia City. May 30. 1872.

B.F. Potts
Governor.

Executive Department
Montana Territory
Virginia City May 30 1872.

Whereas at the May Term of the Probate Court in and for Madison County P.J. Finnegan was convicted of the crime of Petit Larceny and sentenced by said Court to imprisonment in the County Jail for the period of two Months

And Whereas such representations have been made to me by good Citizens of said Madison County, that the said P.J. Finnegan is deemed a proper subject of Executive Clemency.

Now therefore, by virtue of the authority vested in me by the Organic Act of this Territory, I do grant full pardon to said P.J. Finnegan and do order that he be released from said imprisonment and all liabilities under said sentence

[illegible]

(Seal)

the Great Seal of the Territory of Montana, to be hereunto affixed.
Done at Virginia City, this Thirtieth day of May Anno Domini 1872
And of the Independence of the United States, the Ninety Sixth.

B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City June 10th 1872.

Whereas at the June Term 1871, of the District Court held in and for the County of Gallatin, in this Territory, Nathan Ward was then and there convicted of the Crime of Burglary and was sentenced by said Court to imprisonment in the U. S. Penitentiary at Deer Lodge City, for the period of One Year.

And Whereas, such representations have been made by William T. Wheeler Esq. United States Marshal, of the good Conduct of said Convict and his strict observance of the Rules of the Penitentiary, that it is considered that the said Nathan Ward may be with propriety pardoned by the Executive authority of this Territory.

Now therefore by virtue of the authority vested in Me by the Organic Act of this Territory, I do hereby grant full pardon to said Nathan Ward and do by these Presents release him from said imprisonment and from all liability under the aforesaid sentence.

(Seal.)

In Testimony whereof I have hereunto set my hand and caused the Great Seal of the Territory to be hereunto affixed.

Done at Virginia City this Tenth day of June, Anno Domini; One thousand eight hundred and Seventy two and of the Independence of the United States the 96th

B. F. Potts
Governor

Executive Department
Montana Territory
July 12th 1872

Whereas, at the March Term 1872 of the District Court in and for Gallatin County Montana Territory, Moi Toi (Chinaman) was convicted of the Crime of Murder in the Second degree and sentenced by said Court to imprisonment in the Territorial Penitentiary for the Term of Ten Years.

And Whereas such representations have been made to me by D. A. B. Whitford Surgeon in charge [illegible]

and divers good citizens of Gallatin County, that on account of sickness and continued failure of health, said Convict is a deserving object of Executive clemency.

Now therefore by virtue of the authority vested in me by the Organic Act of this Territory, I do hereby grant full pardon to said Moil Doi and do order that he be forthwith released from said imprisonment and sentence aforesaid.

In Testimony whereof I have hereunto set my Hand and caused to be affixed the Great Seal of the Territory of Montana

Seal

Done at Virginia City this Twelfth day of July A.D. 1872 and of the Independence of the United States the Ninety Seventh.

Attest
D. E. Callaway
Secretary

B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City July 22nd 1872

Whereas at the September Term A.D. 1870 of the District Court within and for the Second Judicial District of Montana Territory, Charles Littlefield, was then and there Convicted of the crime of Grand Larceny and was sentenced by said Court to imprisonment in the U.S. Penitentiary at Deer Lodge City for the period of two (2) Years.

And Whereas, Such representations have been made by Mr. J. Wheeler Esq. U.S. Marshal; and the Warden of the said Penitentiary of the good Conduct of the said Convict and his strict observance of the rules of the Penitentiary, that it is considered that the said Charles Littlefield may be with propriety pardoned by the Executive authority of this Territory.

Now therefore, by virtue of the Authority vested in me by the Organic act of this Territory, I do hereby grant full pardon to said Charles Littlefield and by these presents order, that he be on the 31st day of July A.D. 1872 released from said imprisonment and from all liability under the aforesaid sentence

In Testimony whereof, I have hereunto set my hand and caused the Great Seal of the Territory to be hereunto affixed

Seal

Done at Virginia City this 22d day of July A.D. 1872 and of the Independence of the United States the Ninety Seventh.

B. F. Potts

Executive Department
Montana Territory
Virginia City July 22d 1872

Issued Certificate to Auditor for Salary for Stephen Edmund in Charge of Arsenal and Arms for the Quarter ending July 31st 1872 — $50.

B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City July 24. 1872

Whereas, William Morgan was on the 23d day of July AD 1872 before William Reel Esq a Justice of the Peace within and for Madison County Montana Territory, Convicted of the Crime of Petit Larceny and was sentenced by said Justice of the Peace to an imprisonment in the Jail of Madison County for the term of thirty days and to pay a fine of Fifty dollars and Costs of Conviction — And Whereas such representations have been made to me by divers Good Citizens of Madison County, that the said William Morgan is deemed a proper subject for Executive Clemency

Now therefore by virtue of the authority vested in me by the Organic Act of the Territory, I do hereby grant full pardon to said William Morgan a release from said imprisonment and the remission of said fine.

(Seal.) In Testimony whereof, I have hereunto set my Hand and Caused the Great Seal of the Territory to be hereunto affixed. Done at Virginia City this 24th day of July AD 1872 and of the Independence of the United States the Ninety seventh.

B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City August 26. 1872

Whereas one "Pasqpe" an Indian was charged August 1872 before a Justice of the Peace within and for Missoula County Montana Territory, with an Attempt to Commit Murder and thereupon [illegible]

to await his trial therefor. And whereas from examination of said Case and representations made by sundry Good Citizens of the Territory, said "Pascoe" is deemed a proper subject for Executive Clemency.

Now therefore, by virtue of the power vested in me by the Organic Act of this Territory, I do hereby grant full pardon to said "Pascoe" and do order his release from said Confinement.

In Testimony whereof I have hereunto set my hand and caused the Great Seal of the Territory to be hereunto affixed.

Done at Virginia City this 26th day of August A.D. 1872. and of the Independence of the United States the Ninety Seventh.

B.F. Potts
Governor

Executive Department
Montana Territory
Virginia City August 28. 1872

Whereas at the July Term A.D. 1871 of the 3rd Judicial District Court of Montana Territory, John Morrow was convicted of the Crime of Manslaughter and was then and there sentenced by said Court to imprisonment in the United States Penitentiary at Deer Lodge City for Two Years at hard labor.

And Whereas representations have been made to me by Wm. F. Wheeler Esq United States Marshal of the uniform good Conduct of said John Morrow, and his steady observance of the rules of the prison; also from Dr. A.B. Whitford Surgeon of said prison of the failing health of said prisoner on account of his Confinement; and from these and petitions signed by Hon. John E. Blaine Surveyor General Hon D.A. Wall Superintendent of Indian Affairs, Hon Cornelius Hedges, Superintendent of Public Instruction and 128 other good Citizens of the Territory, it is considered that the said John Morrow is a proper subject of Executive Clemency.

Now therefore by virtue of the power vested in me by the Organic Act of this Territory I do hereby Grant full [illegible] to the said [illegible] and [illegible]

order his release from said imprisonment

In Testimony whereof I have hereunto set my hand and caused the Great Seal of the Territory of Montana to be hereunto affixed

Seal.

Done at Virginia City this 28th day of August Anno Domini 1872 and of the Independence of the United States, the Ninety Seventh

B. F. Potts
Governor

Head Quarters Montana Militia
Virginia City August 31. 1872

General Order No. 1.

I. The Militia of Missoula County, Montana Territory, is hereby organized into three (3) Companies – The Company having its Head Quarters at Missoula, shall be designated and known as "Company No. 1." – The Company having its Head Quarters at Stevensville, shall be designated and known as "Company No. 2" – The Company having its Head Quarters at Corvallis, shall be designated and known as "Company No. 3"

II. The said Companies shall parade for Muster on the receipt of this order and no ordnance or Ordnance Stores shall be issued to said Companies, until they are duly mustered into the service as Militia and subject to the Orders of the Commander in Chief of the Militia of Montana Territory –

III. The said Companies shall only be called into the service for the protection of the Settlers in Missoula County, from Indian raids or depredations.

IV. The Commanding officers will report to these Head Quarters, the strength of their respective Companies and the names of the Commissioned officers elected by said Companies.

By order of

B. F. Potts
Gov. and Commander in Chief
Montana Militia

Virginia City Montana Territory
September 4th 1872.

This being the day prescribed by law for the Canvass of the Votes polled at the General Election held in the several Counties of said Territory on Monday, August 5th A.D. 1872, the Board of Canvassers met at the Capitol and upon Examination the Election Returns of the County of Deer Lodge had not been received by the Secretary — the Secretary having information that a Messenger was en route to the Capitol with said Returns — no further action was taken and the Board adjourned until ~~to-morrow~~ at two O'Clock, P.M.

Virginia City Montana Terry.
Sept 5th A.D. 1872.

The Board convened pursuant to adjournment and proceeded to canvass the vote with the following result —

The following is a correct abstract of the votes polled at a General Election held in Montana Territory August 5th, 1872 for Delegate to the 43d Congress of the United States, as returned to the Secretary of the Territory aforesaid and opened and canvassed by James E. Callaway, Secretary of Montana Territory and W. F. Wheeler United States Marshal for the District of Montana aforesaid, in the presence of B. F. Potts, Governor of the Territory aforesaid, on the fifth day of September Anno Domini, Eighteen hundred and seventy two, at Virginia City in said Territory —

Counties	Wm. H. Clagett.	Martin Maginnis	Total
Choteau	69	111	180
Madison	585	539	1124
Lewis and Clarke	1087	911	1998
Deer Lodge	936	995	1931
Gallatin	349	515	864
Jefferson	374	432	806
Meagher	262	303	565
Beaverhead	144	185	329
Missoula	400	524	924
Total	4196	4515.	8711.

We hereby certify that we the undersigned, Canvassers have on the day and at the place above named canvassed the Election Returns for Delegate to Congress.

Counties, and that the above abstract is Correct
Dated at Virginia City, Montana Territory this fifth (5th)
day of September A.D. 1872.

Jas. E. Callaway
Secy Montana Ter.
William F. Wheeler
United States Marshal District of
Montana Territory.

Done in my presence.
B. F. Potts
Governor.

The following is a Correct abstract of the votes polled at a general Election held in Montana Territory on the 5th day of August A.D. 1872, on the question of locating the Seat of Government in and for the Territory of Montana, as returned to the Secretary of the Territory aforesaid, by the Special County Canvassing Boards as shown by the table below, opened and Canvassed by James E. Callaway, Secretary of the Territory of Montana and William F. Wheeler United States Marshal in and for the District of Montana Territory in the presence of the Governor of said Territory on this 5th day of September A.D. 1872 at Virginia City, the Capital of said Territory.

Counties	For the seat of Government of Montana Territory Virginia City	For the seat of Government of Montana Territory Deer Lodge City	For approval of act locating seat of Government approved January 12th A.D. 1872 Yes.	No	Scattering — (Votes cast for unauthorized places.)
Beaver Head	125	124			
Choteau	120	36			
Deer Lodge	3	1851	1518	6	60
Gallatin	846	6			5
Jefferson	343	188			
Lewis & Clarke	1615	291	147		
Madison	1115	11			
Meagher	497	40			
Missoula	46	822	534	35	
	4169	3336	2199	41	65

We the undersigned canvassers hereby Certify that we have on this 5th day of Sept. A.D. 1872 and at the place above named Canvassed the election returns cast in said Territory on the 5th day of August A.D. 1872 on the question of loca

of Government in aid for the Territory of Montana with the results as shown in the above Table and hereby certify the above abstract to be correct. The Counties of Choteau Beaver Head, Gallatin, Jefferson, Madison and Meagher Cast no vote on the question of approval of act locating seat of Government as proved January 12th AD 1872 — other than is shown in the above abstract

Jas E Callaway
Secy Montana Terry

Done in my presence
B. F. Potts
Governor

William F. Wheeler
United States Marshal in and for District of Montana Territory

In the name and by the authority of the Territory of Montana

Proclamation

B F Potts Governor

Whereas it appears by the record of the Action of the Territorial Board of Canvassers that at a General Election held in the Territory of Montana, on Monday August 5th AD 1872, in pursuance of law, Martin Maginnis received the highest number of votes, cast for Delegate to the Forty third Congress of the United States from said Territory

Now, I, Benjamin F. Potts Governor of the Territory of Montana, by virtue of the authority vested in me by law do hereby declare Martin Maginnis was on Monday August 5th AD 1872, duly elected to the Forty third Congress of the United States from the Territory of Montana for the period of two Years from March 4th AD 1873.

In Testimony whereof I have hereunto set my hand and caused the Great Seal of the Territory to be affixed

Done at Virginia City the Capital of said Territory of Montana, this Fifth day of September Anno Domini Eighteen hundred and Seventy two, And of the Independence of the United States the Ninety Seventh —

(Seal)

B F Potts
Governor

In the name and by the authority of the Territory of Montana

Proclamation

B. F. Potts, Governor

Whereas, by an Act to amend an Act entitled "An Act to locate the Seat of Government in and for the Territory of Montana" passed January twenty fourth Eighteen hundred and sixty five, approved January 12th A.D. 1872, the question of locating the Seat of Government in and for the Territory of Montana was submitted to a vote of the qualified electors of said Territory, at a General election held on Monday, August the fifth, A.D. Eighteen hundred and Seventy two;

And Whereas, it appears by the record of the action of the Territorial Board of Canvassers, that a majority of all the votes cast at said General election, designated Virginia City, Madison County, Montana Territory as the Seat of Government of said Territory.

Now therefore, I, Benjamin F. Potts Governor of Montana Territory, by virtue of the authority vested in me by law, do declare Virginia City, Madison County as the Seat of Government of Montana Territory.

In Testimony whereof, I have hereunto set my hand and caused the Great Seal of the Territory to be hereunto affixed.

Seal.

Done at Virginia City, the Capitol of said Territory of Montana, this Fifth day of September, Anno Domini, One thousand eight hundred and Seventy two; and of the Independence of the United States, the Ninety Seventh

By the Governor.

B. F. Potts
Governor

Executive Department
Montana Territory
September 7th 1872

To the officer in charge of
the U.S. Penitentiary at
New Lodge City.

Sir.

You are directed to remit thirty days each Year, from the term of Sentence of each person who has been or may be Convicted of a violation of the laws of said Territory and sentenced to confinement in the prison under your Charge. Provided however, that the term of Sentence of no Convict shall be remitted, unlesse his behavior during his Confinement has been unexceptionably Good; and that no Rule of the prison has been violated by him. When any Convict is released, under this order, You will write opposite his name on the Record of the prison, "Released by the remittal of a portion of his Sentence by the Governor, because of uniform Good behavior while in prison".

Seal

Given under my hand and the Great Seal of said Territory, at Virginia City, the Capital, the date above written.

B.F. Potts
Governor

Territory of Montana
County of Madison } ss

The complaint and information of George F. Cope of said County made before A. M. S. Carpenter Esq, a Justice of the Peace in and for said County on the sixteenth day of October AD 1872, who being duly sworn on his information and belief says that one A. B. Kiser late of said County at the City of Virginia County aforesaid, on the 2d day of July AD. 1872, feloniously did falsely make, forge and counterfeit a certain promissory Note for the payment of money, the tenor of which said Note is as follows;

$100. Virginia City Montana, July 2. 1872. Thirty days after date for value received I promise to pay to the order of Hussey Dahler and Co. One hundred 00/100 Dollars, Negotiable and payable at the Banking House of Hussey Dahler & Co. in Virginia City, without I.I.I. him or his

count with three per cent interest per month from date until paid, both before and after judgment.

G. F. Cope.
per Kiser Bus. "Manager"

with intent to defraud the said Hussey Dahler & Co., against the form of the Statute in such Case made and provided.

Geo. F. Cope

Subscribed and Sworn to before me, this 16th day of October A.D. 1872.

A. M. S. Carpenter
Justice of the Peace.

Territory of Montana } ss.
County of Madison } I, A. M. S. Carpenter a Justice of the Peace in and for said County, duly qualified according to Law, do hereby certify the foregoing to be a full Complete and true Copy of the original Complaint and information in the Cause entitled "The Territory of Montana against Ambrose R. Kiser" now on file in my office in the City of Virginia in said County.

Witness my hand this 16th day of October A.D. 1872.

A. M. S. Carpenter
Justice of the Peace

Territory of Montana } ss.
County of Madison } George F. Cope being first duly sworn says that he is a resident of the City of Virginia County of Madison Territory aforesaid, that the A. R. Kiser mentioned in the annexed affidavit of affiant and charged by the affiant with the crimes of Forgery and Embezzlement, is now a fugitive from justice from the said City of Virginia and Territory of Montana and has taken refuge in the State of Nevada.

G. F. Cope

Subscribed and Sworn to before me this Sixteenth day of October A.D. 1872.

A. M. S. Carpenter
Justice of the Peace

The Territory of Montana
Executive Department

B. F. Potts, Gov.

To His Excellency the
Governor of the State of Nevada

Whereas it appears by the annexed affidavits duly authenticated in accordance with the laws of this Territory, that

Ambrose B. Kiser

stands charged with the crimes of Forgery and Embezzlement, committed in the County of Madison, in this Territory and that it has been represented to me that he has fled from this Territory and has taken refuge in the State of Nevada —

Now therefore, pursuant to the provisions of the Constitution and Laws of the United States in such cases made and provided, I do hereby request that the said Ambrose B. Kiser be apprehended and delivered to James M. Fish, who is hereby authorized to receive and convey him to the Territory of Montana, there to be dealt with according to Law.

Given under my Hand and the Great Seal of the Territory of Montana, at Virginia City, this the Sixteenth day of October, in the Year of our Lord One thousand eight hundred and Seventy two (1872)

Seal

B. F. Potts
Governor of Montana

By the Governor

Territory of Montana. ss

I Hiram Knowles do solemnly swear, that I have never voluntarily borne arms against the United States since I have been a citizen thereof, that I have voluntarily given no aid, countenance, counsel or encouragement to persons engaged in armed hostility thereto; that I have neither sought nor accepted nor exercised nor attempted to exercise the functions of any office whatever under any authority or pretended authority in hostility to the United States; that I have not yielded a voluntary support to any pretended government, authority, power or Constitution within the United States, hostile or inimical thereto. And I do further solemnly swear, that to the best of my knowledge and ability I will support and defend the Constitution of the United States against all enemies foreign and domestic, that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion and that I will well and faithfully discharge the duties of the office on which I am about to enter So help me God.

Hiram Knowles

Sworn to and subscribed before me, this 27th day of September AD 1872
Decius S. Wade
Chief Justice of Montana

Recorded Oct 28. 1872

In the name and by the authority of the Territory of Montana

Thanksgiving Proclamation

I, Benjamin F. Potts Governor of Montana Territory do recommend to the people of Montana Territory, that they Religiously set apart and observe

Thursday November 28th A.D. 1872

as a day of Thanksgiving and Prayer to Almighty God, for His manifold blessings enjoyed by us during the year now approaching its close.

In Witness whereof I have hereunto set my hand and caused the Great Seal of Montana Territory to be affixed. Done at Virginia City the Capital of said Territory, this Twenty fourth day of October, in the Year of our Lord, One thousand eight hundred and Seventy two and of the Independence of the United States the Ninety Seventh.

Seal

B. F. Potts
Governor

By the Governor

Secretary

Executive Department
Montana Territory
Virginia City Sept. 8th 1872

Hon Wm H. Rodgers
Auditor &c
Sir

In compliance with an Act relating to the Arsenal and Military Stores of Montana Territory Approved January 6th 1872 pages 562-3 codified laws of 1871-2, You will issue a Warrant to S. Edmund Reeser of the Territorial Arsenal at Virginia City for the sum of Sixteen Dollars and sixty six and two thirds cents $16.66⅔ as Salary for the month of August 1872.

B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City Oct. 1st 1872

Hon. Wm H. Rodgers
Auditor &c
Sir

In compliance with an Act relating to the Arsenal and Military Stores of Montana Territory, approved January 6th 1872, pages 562-3 Codified Laws of 1871-2. Now will you issue a Warrant to

Harrison Mundell, Keeper of the Territorial Arsenal at Virginia City, for the sum of Sixteen Dollars and Sixty six and two thirds Cents $16.66⅔ as Salary for the month of September A D 1872.

B F Potts
Governor

Executive Department
Montana Territory
Virginia City Oct. 28th 1872

D W K Rodgers
Auditor

Sir Please issue a Warrant for the sum of Eight Dollars and fifty six Cents to L W Todd as part payment for the transportation of 7200 pounds of Arms and ammunition from Helena to Virginia City in pursuance of Sec. 4 of the Act approved January 6. A D, 1872

Respectfully
B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City, September 1st 1872

In pursuance of law Harrison Mundell is hereby appointed Keeper of the Arsenal and Military Stores of Montana Territory. He will give Bond, qualify and take Charge of the Arsenal without delay.

B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City Sept. 14. 1872

The Territorial Auditor will issue a Warrant for One hundred and forty one and 44/100 Dollars, to Levi Cox for the transportation of Ordnance and ordnance Stores from Helena to Virginia City in pursuance of Sections 4 and 6 of an Act relating to the Arsenals and Military Stores of Montana Territory

1872

B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City October 1. 1872

By virtue of the provisions of an Act to provide for the funding of the outstanding indebtedness of Montana Territory and the redemption of the fifteen per cent bonds, which became a law January 10th A.D. 1872, I directed the Territorial Auditor on the 14th of May 1872 to issue his Warrant on the Treasurer for the sum of Five hundred and thirty six Dollars and twenty five Cents, to pay for printing and lithographing twenty five hundred Territorial Warrants of three denominations.

I also directed the Auditor on the First day of June A.D. 1872, to issue his Warrant on the Treasurer for the sum of Three hundred and fifty two dollars and Ninety five Cents, to aid in the negotiation of the Bonds sold by the Territorial Treasurer

B. F. Potts
Governor

Oath of office of Hon F. G. Servis Associate Justice

I, Francis G. Servis do solemnly swear, that I have never voluntarily borne arms against the United States since I have been a Citizen thereof; that I have voluntarily given no aid, countenance, counsel or encouragement to persons engaged in armed hostility thereto; that I have neither sought nor accepted nor attempted to exercise the functions of any office whatever under any authority or pretended authority in hostility to the United States; that I have not yielded a voluntary Support to any pretended Government authority, power or Constitution within the United States, hostile or inimical thereto. And I do further swear that to the best of my knowledge and ability I will support and defend the Constitution of the United States, against all enemies foreign and domestic; that I will bear true faith and allegi-

out any mental reservation or purpose of Evasion, and that I will well and faithfully discharge the duties of the office of Associate Justice of the Supreme Court of the Territory of Montana, on which I am about to enter: So help me God.

Signed, F. G. Lewis

Subscribed and Sworn to before me, this 31st day of October A.D. 1872

B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City December 9. 1872

To Wm. H. Rodgers Esq.
Auditor

You will please issue a certificate of indebtedness to William Thompson Esq. for the sum of Four hundred and twenty eight Dollars and fifty seven Cents, for repairing the Territorial Arsenal at Virginia City

Respectfully

B. F. Potts
Governor

Whereas, at the July Term 1871, of the District Court held in and for Lewis and Clarke County, Montana Territory M. E. Metcalf was convicted of the Crime of Grand Larceny and was sentenced by said Court to imprisonment in the Territorial Penitentiary for the period of three years; And Whereas, such representations have been made to me by James Gilchrist Esq, late Deputy United States Marshal in Charge of said Penitentiary and L. Batchiance Esq, present Deputy United States Marshal, in Charge of said Prison, that because of the Uniform good Conduct of said Convict while in prison and because he has a helpless family that is dependent upon his labor for support;

Now therefore, by virtue of the authority vested in me by the Organic Act of this Territory, I do hereby grant full pardon to the said M. E. Metcalf and a [illegible]

do order that he be released from imprisonment and from all liability under the sentence aforesaid

In Testimony whereof, I have hereunto set my hand and caused the Great Seal of the Territory of Montana, to be affixed hereunto Done at Virginia City, the Capital, this Thirteenth day of December, in the Year of our Lord, one thousand eight hundred and Seventy two (1872); and of the Independence of the United States, the Ninety Seventh

B. F. Potts
Governor

Executive Department, Montana Territory.
Virginia City December 13. 1872.

In pursuance of law, I did, on the 14th day of October A.D. 1872, certify into the Territorial Treasury, the sum of Seventy Six 25/100 Dollars the amount derived from the labor of Territorial Convicts up to said date.

Also on the 12th day of December A.D. 1872 I certified into the Territorial Treasury, the sum of Fifteen 75/100 Dollars, the amount derived from the labor of Territorial Convicts, during the month of November A.D. 1872

15.75

B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City December 31. 1872

Hon Wm H. Rodgers
Auditor T.

Sir

In compliance with an Act relative to the Arsenal and Military Stores of Montana Territory approved January 6th 1872 pages 862-3 Codified laws of 1871-2, you will issue a Warrant to Harrison Mundell Keeper of the Territorial Arsenal at Virginia City for the sum of Fifty Dollars, as Salary for the Months of October November and December A.D. 1872

B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City December 31. 1872

Whereas, A. Doran was on the 16th day of December A.D. 1872 brought before James A. Slaven one of the Justices of the Peace in and for Madison County Montana Territory Charged with the Crime of larceny. And Committed to the Jail of said County to await the Action of the Grand Jury at the next Term of the District Court to be held in and for said County. And Whereas, the retention of said Doran in the Jail of the County is at an Expense of Four Dollars per day and there being no probability of the Conviction of said Doran of the Crime charged.

Now therefore by virtue of the power and authority vested in me by the Organic Act of this Territory, I do hereby Grant full Pardon to the said A. Doran, and do by these presents order his release from Confinement in said County Jail And the remission of all Costs.

Seal

In Testimony whereof I have hereunto Set my hand and Caused the Great Seal of the Territory to be hereunto affixed Done at Virginia City this 31st day of December Anno Domini Eighteen hundred and Seventy two. And of the Independence of the United States, the Ninety Seventh.

B. F. Potts
Governor

The United States of America
Territory of Montana } ss

I, Benjamin F. Potts, Governor of the Territory of Montana, do hereby certify that at a General Election held in said Territory, on Monday August fifth, (5th) A.D. 1872 in pursuance of law, Martin Maginnis was elected delegate to represent said Territory in the Forty third (43d) Congress of the United States; he having received the highest number of votes cast at said Election.

In Testimony whereof I

Set my hand and Caused the Great Seal of the Territory to be affixed. Done at Virginia City the Capital in the Year of our Lord One thousand Eight hundred and Seventy three and in the Ninety Seventh Year of the Independence of the United States of America

(Seal.)

B. F. Potts
Governor

Attest
J. E. Callaway
Secretary

The Territory of Montana,
Executive Department
Virginia City, January 7th 1873.

The amount arising from the labor of convicts for the Month of December was Forty Six Dollars and Seventy five Cents ($46.75) -
Paid Gans & Klein of Deer Lodge for one half dozen pairs of Buck Skin gloves to protect the hands of convicts from Cold weather when laboring $9.00
The balance of Thirty Seven dollars and Seventy five Cents ($37.75) was this day certified into the Territorial Treasury -

B. F. Potts
Governor

In the matter of the application for a Requisition on his Excellency the Governor of Ohio for One Gus Callahan, charged with the Crime of Grand Larceny, in the County of Gallatin Territory of Montana.

January 31. 1873.

It having been made to appear to the Undersigned that One Gus Callahan, late of said Territory, was indicted by the Grand Jury of Gallatin County in said Territory, at the November Term of the District Court in and for said County, for the Crime of Grand Larceny, and that the said Callahan had escaped from the Territory and is a fugitive from justice and is now in Ross County Ohio, a Requisition for said Callahan was issued requesting the Governor of Ohio to issue his Warrant for the arrest of said Cal-

be delivered to A.W. Tanner Esq. of Montana, that he may be conveyed to said Territory, to be dealt with according to Law

Attest
J.E. Callaway
Secretary

B.F. Potts
Governor

Territory of Montana
Executive Department
Virginia City Feby 15, 1873

The undersigned this day certified into the Territorial treasury, the sum of Fifty one Dollars, which arose as follows:

For labor of Convicts for Contractor for January 1873	$34.50
" " " " United States " December 1872	7.00
" " " " " " January 1873	9.50

Receipt of Territorial Treasurer for same, dated this Day.

B.F. Potts
Governor

Oath of Office of Hon. F.G. Lewis

The Territory of Montana.

I Francis G. Lewis do solemnly swear that I have never voluntarily borne arms against the United States, since I have been a Citizen thereof; that I have voluntarily given no aid, Countenance, Counsel or encouragement to persons engaged in armed hostility thereto; that I have neither sought nor accepted nor attempted to exercise the functions of any office whatever, under any authority or pretended authority in hostility to the United States; that I have not yielded a voluntary support to any pretended Government, Power or Constitution hostile or inimical thereto, And I further swear, that to the best of my knowledge and ability, I will support and defend the Constitution of the United States, against all enemies foreign and domestic that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion and that I will well and faithfully discharge the duties of the office of Associate Justice of the Supreme Court of Montana Territory, on which I am about to enter. So help me God.

F.G. Lewis

Sworn to before me and subscribed in my presence, February 17th A.D. 1873, at Virginia City, the Capital of the Territory.

B. F. Potts

Governor of Montana

Proclamation

Whereas, the act of Congress transferring the control of certain Territorial Penitentiaries to the Several Territories in which the same are located, approved January 24. 1873, transfers the care and custody of the United States Penitentiary at Deer Lodge City and the personal property therewith connected to this Territory; and requires the Territory to keep and maintain in said Penitentiary, all persons convicted in Montana Territory of violations of the laws of the United States and sentenced to imprisonment therefor and all persons held to answer for alleged violations of the laws of the United States, in said Territory.

And Whereas, there is no provision made by the laws of this Territory, whereby the Territory can keep and maintain in said penitentiary, the persons required to be kept and maintained by said Act of Congress; nor is there any authority to confine or maintain therein persons convicted of violations of the laws of this Territory and sentenced to confinement in the penitentiary. (Nineteen persons are now undergoing confinement for violations of the laws of the Territory.)

And Whereas, the statute relating to the assessment of property for revenue purposes and that relating to the rate of interest on County bonds and warrants; and that relating to the number of persons required to constitute a Grand jury and many other laws are so uncertain and contradictory, that they cannot be enforced without judicial interpretation, obtained at great cost to the people and it is a doubtful question whether Courts can harmonize the contradictions at all;

And Whereas, the fees, per-centage and Salaries collected by District Attorneys, the Clerks of the District Courts and County officers are so exhorbitant as to amount to a denial of justice to the poor and are daily devouring the substance of the people;

And Whereas, the Courts of the Territory have no authority to render judgments against parties litigant for the fees of jurors in the trial of causes, but the same are taxed

onerous burden the people are so desirous to lessen:

Now therefore, I, Benjamin F. Potts, Governor of the Territory of Montana, by virtue of the authority vested in me by the Organic act of said Territory, do order that the Legislative Assembly of the Territory of Montana, Convene in Extraordinary Session at Virginia City, the Capital of said Territory, on Monday, the fourteenth day of April A.D. 1873 at twelve O'Clock Meridian, of said day, to Consider such subjects of legislation as will be submitted by the Executive or such as are demanded by the public interests. The duration of the Session shall not exceed fifteen days.

In Testimony whereof I have hereunto set my hand and Caused the Great Seal of the Territory to be hereunto affixed.

Seal

Done at Virginia City the Capital of said Territory, this the Seventeenth day of March, Anno Domini One thousand eight hundred and Seventy three and of the Independence of the United States the Ninety Seventh.

B.F. Potts
Governor

By the Governor
J. E. Callaway
Secretary

Territory of Montana
Executive Department
Virginia City March 12th 1873

The undersigned this day Certifies into the Territorial Treasury, the Sum of Twelve Dollars as follows:

To labor of convicts for contractor for February 1873 — — — $12.00

Receipt of Territorial Treasurer for same, dated this day.

B.F. Potts
Governor

Territory of Montana
Executive Department
Virginia City, March 31. 1873

Hon Wm H. Rodgers
Sir.

In compliance with an Act relative to the Arsenal and Military Stores of Montana, approved January 6. 1872, you will issue a Warrant to Harrison Mu[illegible] Keeper of the Territorial Arsenal at Virginia City, for [illegible] of Fifty Dollars, as Salary further [illegible] to end [illegible]
B.F.P.

Executive Department
Montana Territory
Virginia City April 10, 1873

The undersigned this day certified into the Territorial Treasury, the sum of Thirty nine Dollars, as follows;
For labor of Convicts for contractor for the Month of March " " " " $39.00
Receipt of Territorial Treasurer dated this day

B. F. Potts
Governor

Executive Department,
Montana Territory.
Virginia City April 14. 1873

To the Legislative Assembly
of Montana Territory.

Mr. Charles St Clair of Virginia City, has been appointed private Secretary to the Governor. I ask that he be respected accordingly.

Respectfully

B. F. Potts
Governor.

Executive Department,
Montana Territory.
Virginia City April 14. 1873

To the Legislative Assembly
of Montana Territory.

I have the honor to submit to the Legislative Assembly, the Report of the Territorial Auditor and Treasurer, for the fiscal Year Ending December 1. 1872; and the Treasurers Report for the Month of December 1872.

Respectfully

B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City April 14. 1873

To the Council -

I have the honor to nominate and by the advice and consent of the Council appoint Corneline Hedges of Lewis & Clarke County, Superintendent of Public Instruction for the period of two Years from January 15th 1872.

B. F. Potts
Governor

The above appointment confirmed by the Council April 16 1873

Executive Department
Montana Territory
Virginia City April 16. 1873

To the Legislative Assembly.

I have the honor to submit for the information of the Legislative Assembly, a Report of the Territorial Auditor, exhibiting the fees Salaries, per centage, paid County officers in Deer Lodge Beaver Head and Gallatin Counties, from the treasuries of said Counties, for the Year ending March 1. 1873

The law requiring the County Commissioners of the several Counties to report to the Territorial Auditor At their March Session of each Year, a detailed statement of the financial Condition of their respective Counties, has not been complied with by the Commissioners of the remaining Counties of the Territory.

I respectfully call the attention of the Legislature, to the necessity of providing some legislation by which officers may be compelled to make such reports as are required by law, Without your aid, the laws of the Territory cannot be enforced by the Executive. I respectfully ask such aid.

Only one Copy of the Report having been furnished this Department, the same is sent to the House of Representatives and a Copy sent to the Council

B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City April 17. 1873

To the Legislative Assembly.

I have the honor to submit for the information of the Legislative Assembly, a Statement of the Territorial Auditor, showing the debt of the several Counties, March 1. 1872, Except the County of Lewis and Clarke, which statement is dated September 1. 1872.

Only one Copy having been furnished this Department, the same is sent to the House of Representatives and a Copy is sent to the Council.

Respectfully
B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City April 18. 1873

Hon. Wm H. Rodgers
Auditor &c.

You will please report to this Department in writing, at your earliest convenience, the amount paid by the Territory for public printing, Newspapers for Legislative Assembly &c, to whom paid and for what purpose, from December 1. 1871 to March 1. 1873

Respectfully
B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City April 1873

To the Legislative Assembly.

I have the honor to submit for your information, a Statement from the Territorial Auditor, showing the amount paid County and District officers in Madison and Missoula Counties, for the year 1873.

This exhibit ought to satisfy any reasonable

are made to County officers from the people's treasury is exorbitant unjust, unreasonable and amounts in many cases to legalized robbery

Respectfully

B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City April 21. 1873.

To the Legislative Assembly.

I have the honor to transmit herewith, a Report of the Territorial Auditor, showing the amount paid by the Territory, for public printing, advertising, Newspapers &c &c from December 1st 1871 to March 1. 1873.

Your attention is respectfully invited to the large amount expended for the purposes named. I submit to you whether the expenditure for printing done in the future, cannot be largely reduced? I think it can; and trust some legislation will be had for that purpose.

Only one Copy of said Report having been furnished this Department, the same is sent to the House of Representatives and a Copy to the Council.

Respectfully

B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City April 21. 1873.

To the Council.

I have the honor to inform the Council that I have this day approved Council Concurrent Resolution No 2. without title.

Respectfully

B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City April 22. 1873

To the Legislative Assembly.

As required by law I made every reasonable effort to obtain labor for the Convicts confined in the Penitentiary during the past year and at the highest rate that could be secured. My efforts met with only partial success. The amount realized from Convict labor up to April 1. 1873, was two hundred and sixteen dollars, which sum has been certified into the Territorial treasury and receipts for the same are now on file in this Department, subject to the examination of the Legislative Assembly or a committee appointed for the purpose.

Respectfully

B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City April 25. 1873

To the Legislative Assembly.

Information has been received by this Department, that the proper authorities of the United States have directed the United States Marshal of this Territory to transfer the possession of the United States Penitentiary at Deer Lodge City to the Territory and the Executive has been requested to take formal possession of the same at once.

The Legislative Assembly is respectfully requested to provide by law for the maintenance and Government of the prison at the earliest practicable day.

Respectfully

B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City April 25. 1873.

To the House of Representatives

Herewith Bill No. 2, certified

of An Act revising, Re-enacting and Codifying the General and permanent laws of Montana Territory, approved January 12. 1872 is returned to the House of Representatives without the Executive Approval. If this course is pursued by the Legislature of inserting a few words in a section of the present law, without Copying the section of the old law, inserting therein the desired amendment and repealing the old section, the labor of the present session will be more uncertain than that of the last.

This bill can only add confusion and uncertainty to the present laws.

The amendment proposed may reasonably raise the Question as to whether all of section One, after what is proposed to be inserted is not repealed by the amendment.

Clearness and perspicuity in framing amendments are the most important qualifications that a legislator can possess.

With our present experience with ambiguous Statutes, we should not repeat the blunders of the last session, when they are so fresh in our minds.

My objection is to the form and not to the substance of the bill.

Respectfully.

B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City April 26. 1873

To the Council

I have the honor to inform the Council that I have this day approved C. J. Resolution No 1. for the relief of L. W. Todd

Respectfully

B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City April 26. 18

To the House of Representatives

I H. H. 1

The House of Representatives that I have this day approved House Bill No 54, entitled an Act to prevent parties from shooting within the limits of towns and private enclosures; Also House Concurrent Resolution No 4. without title.

Respectfully

B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City April 28. 1873

To the House of Representatives.

I have the honor to inform the House of Representatives that I have this day approved House Bill No 8, Entitled an Act to Amend section One of an Act Entitled An Act Creating the Office of District Attorney in each of the Organized Judicial Districts of Montana Territory Also House Bill No 33 entitled an Act prohibiting the establishment and conducting of Dancing Saloons and Sturdy Houses in the Territory of Montana.

Respectfully

B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City April 28. 1873

To the House of Representatives.

I have the honor to inform the House of Representatives, that I have this day approved House Bill No 48. Entitled an Act to establish and regulate the fees of Sheriffs in the Territory of Montana. This bill inaugurates a reform in the right direction, but unfortunately it stops short of a real and substantial reform such as the people hoped would be adopted.

Respectfully

B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City April 29. 1873

To the Council

I have this day approved an act to amend an act entitled an act to authorize the County Commissioners of Missoula County to levy a special tax approved December 30. 1871.

The form of this act is a reproach to the intelligence of the Legislature that enacted it and it was only approved because it is to have but a local application. I trust the good people of that County aided by the Gentlemanly author of the Bill will be able at their leisure, with the Codified laws in one hand and the laws of the present session in the other to finally demonstrate the amount of special tax they will be required to pay.

I have also this day approved an act to establish and regulate the fees of the Clerk of the District Court - Also an act to establish and regulate the fees of County Clerk and Recorder. Also an act concerning liens and fences.

Respectfully

B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City April 29. 1873

To the House of Representatives

I have this day approved House Bill No. 57, entitled "An act defining the word "folio" when used in acts relating to regulation of fees." Also House Bill No. 47. entitled "An act to establish and regulate the fees of witnesses, jurors and certain officers in Montana Territory." Also House Bill No. 41, Entitled "An act making appropriation for printing the Reports of the Auditor and Treasurer for the 8th fiscal year, made to the Governor December 1. 1872."

Respectfully

B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City April 29. 1873

To the Council

I have this day approved Council Bill No 10. Entitled An Act to amend Section 563 of the Civil practice Act.

Respectfully
B. F. Potts
Governor

Executive Department
Montana Territory
Virginia April 29. 1873

Hon G. M. Stapleton
President of the Council

Sir

I have the honor to nominate and with the advice and consent of the Council appoint E. W. Carpenter of Lewis and Clarke County, Territorial Auditor for the period of two years from this date.

Respectfully
B. F. Potts
Governor

Council Chamber Virginia City
April 29. 1873

To His Excellency
B. F. Potts Governor

I am instructed by the Council to inform your Excellency, that the Council have considered the nomination by your Excellency of E. W. Carpenter to be Auditor of the Territory of Montana and that they respectfully decline to confirm the same

Very Respectfully
Your Excellency's
Obt Servt
A. M. S. Carpenter
Chief Clerk Council

Executive Department
Montana Territory
Virginia City April 30. 1873

To Hon. John M Rodgers
Speaker of the House of Representatives
Sir

I have received from the U. S. Marshal, a Statement of the cost of maintaining the U. S. Penitentiary at Deer Lodge City, for the month of April and by a comparison of the Cost with the Council Bill, the Territory will pay the United States about Fifty Dollars in excess of what it cost for the maintenance of said Penitentiary for the said month of April. If any member of the House thinks he is saving money for the Territory by delaying the passage of the Council Bill he is mistaken. I trust the House will not further delay action on the Bill -

Respectfully

B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City April 30. 1873

Hon G M Stapleton
President of the Council.
Sir

I have the honor to nominate and by and with the advice and consent of the Council appoint Robert Lawrence of Lewis and Clarke County Territorial Auditor, for the period of two years from this date.

Respectfully

B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City April 30. 1873

To the House of Representatives

I have the honor to inform the House of Representatives, that I have this day approved House Joint Memorial No 1 asking Congress to establish an Assay office in Montana Territory Also [illegible]
entitled [illegible]

ty seven (27) of an Act entitled An Act revising, re-enacting and codifying the General and permanent laws of Montana Territory, approved January 12, 1872.
Also H.B. No. 12, Entitled, An Act to provide against the evils resulting from the sale of intoxicating liquors in the Territory of Montana and for other purposes Approved January 12, 1872

Respectfully

B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City April 30. 1873

To the Council

I have the honor to inform the Council that I have this day approved C.B. No 45, Entitled An Act to establish the Compensation and fees of the Secretary of the Territory, Territorial Auditor, Treasurer and Superintendant of Public Instruction. Also C.B. No 14, entitled, An Act to establish and regulate the fees of County Treasurers

Respectfully

B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City May 1. 1873

Hon G. W. Stapleton
President of the Council

Sir

I respectfully ask to withdraw the nomination of Robert Lawrence as Territorial Auditor

Respectfully

B. F. Potts
Governor

Council Chamber
Virginia City May 1st 1873

To His Excellency
the Governor B. F. Potts

I am instructed by the

been given, as requested by Your Excellency, to withdraw the Communication made to the President of the Council on the 30th Ultimo by Your Excellency

I am Very Respectfully
Your Excellency's Obt. Svt.
A. M. S. Carpenter
Chief Clerk Council

Executive Department
Montana Territory
Virginia City May 1. 1873

To the Council

I have the honor to inform the Council that I have this day approved C.B. No 33, entitled "An Act authorizing the Territorial Treasurer to issue Bonds" Also C.B. No 15. Entitled "An Act to establish and regulate the fees of Justices of the Peace in the Territory of Montana"

Respectfully
B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City May 1. 1873.

Hon Geo. W. Stapleton
President of the Council
Sir

I have the honor to nominate and by and with the consent of the Council, appoint Julian M. Knight of Madison County, Territorial Auditor for the period of two Years from this date.

Respectfully
B. F. Potts
Governor

Council Chamber
Virginia City Montana
May 2d. 1873.

To His Excellency
Benj F. Potts

I am instructed by the Council to inform Your Excellency [illegible]

munication of your Excellency nominating Julian M. Knight to be Territorial Auditor for two years from date, May 1. 1873; and that the Council most respectfully refuse to confirm the said appointment.

I am Very Respectfully
Your Excellency's Obt. Serv.
W. M. S. Carpenter
Chief Clerk Council

Executive Department
Montana Territory
Virginia City May 2. 1873

To the House of Representatives

I have the honor to inform the House of Representatives, that I have this day approved H.B. No 49, entitled an Act to establish and regulate the fees of Assessors, Coroners and other officers in the Territory of Montana. Also H.B. No. 14, entitled an Act to provide against the killing of Game and catching of fish and to repeal an Act, entitled an Act relating to the killing of Game and catching of fish, approved January 2. 1872

Respectfully
B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City May 2. 1873

To the Council.

I have the honor to return to the Council C.B. No. 32, entitled An Act to amend an Act, called the Criminal Practice Act, without my approval. The title to the bill is defective, because it does not clearly define the object of the bill. The title, to correspond with the body of the bill, should read, An Act to amend Section 117 of the Criminal Practice Act. The draft of the bill is otherwise defective in this that the bill seeks to amend Section 117 and yet does not repeal it, thereby increasing the uncertainties to be found in the book of confusions, known as the "Codified Laws." Before the passage of this bill, we had two conflicting Sections on Grand Juries: Now we have three.

If the Legislative Assembly

constitute a Grand Jury; I would suggest the repeal of the original section 117. I trust in the consideration of this bill, you will correct the errors suggested.

Respectfully,
B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City May 3. 1873

To the Council

I have the honor to return Council Bill No. 37, without my approval. The bill seeks to amend section 13 of Chapter 21 of an Act entitled an Act revising re-enacting and codifying the General and permanent laws of Montana Territory approved January 12. 1872 but fails to repeal the original section 13 of said Chapter. If this course is pursued by the Legislative Assembly the uncertainty of our present laws will be increased. I cannot give my assent to such carelessness.

Respectfully
B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City May 3. 1873

To the House of Representatives

I have the honor to inform the House of Representatives, that I have this day approved H.B. No. 50 Entitled an Act to establish and regulate the fees of District Attorneys and other officers in the Territory of Montana.

Also H.B. No 29, entitled an Act to legalize the acts of County and District officers. Also H.B. No 18 Entitled an Act to repeal certain portions of section (23) twenty three of an Act providing for the collection of the Revenue, approved January 12 1872. Also H.B. No 61, entitled an Act to amend section 202 of an Act entitled an Act to regulate the proceedings in Civil Cases in the Courts of Justice of the Territory of Montana, approved January 12. 1872

Respectfully
B. F. Potts
Gov.

Executive Department Montana Territory
Virginia City May 3 1873 –
To the Council. I have the honor to inform the Council that I have this day approved an Act to establish and regulate the fees of District Attorneys and other officers
H.B. No 44 entitled
B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City May 5. 1873

To the House of Representatives.

I return to the House of Representatives, H.B. No 19, entitled an Act to regulate the times and places of holding the terms of the Supreme Court of Montana, without my approval. Section 9 of the Organic Act provides "that the supreme Court shall consist of a Chief Justice and two associate Justices, any two of whom shall constitute a quorum and who shall hold a term at the seat of Government of said Territory annually".

Congress having clearly fixed the place the Supreme Court shall be held, I cannot believe that the Legislative Assembly or the Judges of said Court, have any power to change the place of holding said Court; but should the Judges of said Court hold that such power is conferred upon them by the Organic Act, then I can see no reason for the passage of this Bill, for it would only be an affirmance of they authority already granted.

I think it is a well settled principle of law, that where Congress has assumed to legislate upon a given question relating to the Territories, that such question is not a legitimate subject of legislation by a Territorial Legislature.

Respectfully

B.F. Potts
Governor

Executive Department
Montana Territory
Virginia City May 5. 1873.

To the Council

I have the honor to inform the Council that I have this day approved C.B. No. 32, entitled An Act to incorporate the town of Helena. Also C.B No. 23, Entitled An Act to amend an Act revising, re-enacting and codifying the Statutes of Montana; entitled an Act in relation to Counties and County officers. Also C.J.R. No. 4, to pay George D. Cope for printing for Legislative Assembly.

Respectfully

B.F. Potts

Executive Department
Montana Territory
Virginia City May 5. 1873

To the Council.

I have the honor to inform the Council that I have this day approved CB No 48, entitled an Act to repeal an Act concerning estrays and lost goods.

Also CB No 62, entitled an Act to amend an Act entitled an Act to incorporate the Historical Society of Montana. Also CB. No 61, Entitled an Act relating to certain County Warrants of Madison County.

Respectfully

B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City May 5. 1873

To the Council.

I return to the Council, C.J.R. No 2 authorizing the Territorial Auditor to draw his warrant on the Territorial Treasury for Salary due him, without my approval. In my message to the Legislative Assembly, I recommended that the fixed salary of the auditor provided by the law of 1870, be restored subject to whatsoever reduction the Legislative Assembly might deem wise and just.

I cannot see on what principle the additional sum is to be voted to this man. I know of no extraordinary service he has performed within the past year to entitle him to this amount in excess of the allowance made by law. but if the Legislature deem it proper to pay him at the rate of Three thousand Dollars per annum, I shall insist that he shall make the Territory whole in fees that have accrued to the Territory by his fault. I submit a copy of a letter from Hon. H. N. Blake, District Attorney of the First Judicial District, as follows:

Virginia City M.T. May 5. 1870.

Hon B. F. Potts
Governor of Montana.

Sir.

Yours of this date has been received. I received from W. H. Rodgers Esq Territorial Auditor on March 31. 1873, the following account for Collection;

"Dezell Gillert, dec^d, late Treas. of Madison County
To Montana Territory Dr.

To amount allowed in error on settlement with J. C. Smith Administrator of the said late Treas. Dezell Gilbert, on Jany 29. 1872 $181.35

I was informed by Mr Rodgers that the error in the settlement with Smith, was caused by allowing the sum of $181.35 to be credited to the Estate of Gilbert at two different times. I have no other knowledge regarding the foregoing facts than that above stated.

Yours Very Respectfully
Henry N. Blake
Dist Atty, 1st Jud. Dist Montana,

This letter clearly shows that Mr Rodgers has admitted that he has allowed the sum of One hundred and Eighty One Dollars and thirty five cents twice and the sum has been paid by the Territory by Rodgers' incompetency, mistake or other cause. I understand Mr. Smith, under the advice of his Counsel, refuses to refund the money and it is by no means certain that the money can ever be recovered; and if recovered at all, it will be at great expense to the Territory. Would it not be fair and just to this man and the people's treasury that the sum of One hundred and eighty one dollars and thirty five cents be set off against his claim? Can any reasonable Man doubt it?

An examination of the amount audited and allowed by Mr. Rodgers and paid by the Territory to the Sheriffs of Gallatin, Madison and Lewis and Clarke Counties, during the past year for the transportation of Territorial Convicts to the Penitentiary will show that he allowed said Sheriffs for said service, more than five hundred dollars in excess of the allowance authorized by law. The records of the Auditors office will verify this statement. Section One of an Act defining the duties of the Territorial Auditor, page 581 of the Codified Statutes, provides that the Auditor of the Territory shall issue no Warrant drawn upon the Territorial treasurer in favor of any person without express authority of law". This Statute has been violated by Mr Rodgers and Warrants issued for what the Territory did not owe. Public officers should always be liable and be held responsible for their official acts and

an officer, he should be required to make good the loss occasioned by his neglect, whether intentional or not. If you pass this Bill, you change the rule as to the responsibility of public officers and remove the responsibility now felt by all faithful public servants. I trust that the representatives of the people will not sanction violations of law in any public officer, but that their action will be such as to assure the people that their treasury is guarded by a competent man who is zealously laboring to protect their interests.

I respectfully request that if the Legislature find anything due Mr. Rodgers, that before paying him the same, he be required to make good any loss caused by his fault. I cannot see why any reasonable man can object to thus settling the differences between the Territory and Mr Rodgers. No good business man would settle with his neighbor on any other principle. I cannot believe that the Legislative Assembly on a reconsideration of this Bill will endorse its enormity. In the name of the people, I ask you to protect their treasury.

Respectfully

B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City May 6. 1873

To the House of Representatives

I have the honor to return to the House of Representatives, H.B. No 42, entitled "An Act to provide for the organization of railroad corporations in the Territory of Montana" without my approval.

I object to the sections of the bill that provide for the exercise of the right of eminent domain and content myself with submitting the following authorities touching the legality of said sections:

"The right of eminent domain is a part of the sovereign power. Upon the admission of a State into the Union the right of eminent domain temporarily held by the United States, passes to the State." Brightly's Digest Vol 1. page 15.

"Eminent domain has been adopted by us from the writers on National and Civil law upon the Continent of Europe and is perhaps better understood than any other form of expression for the same idea; and is defined to be that dominium eminens or superior,

ernments to apply private property to public use in those great emergencies which can reasonably be met in no other way. And it would seem that notwithstanding the right of sovereignty may reside in the United States as the paramount sovereign so far as the Territories are concerned, in reference to internal communications by highways and railways and notwithstanding the ownership of the soil of a portion of the lands by the United States in many of the States as well as the Territories, still when any of the Territories are admitted into the Union as independent States, the general rights of eminent domain are vested in the State sovereignty." Redfield on the Law of Railways, Vol. 1 page 230. Pollard vs Hagan 3 Howard Reps. page 212. Goodlittle vs Kibbe 9 Howard page 471. Doe vs Beebe 13 Howard page 25. U.S. vs Railway Bridge Co. 6 McLean page 517."

In the new Territories however, where the government of the United States possesses complete sovereignty, it also possesses as incident thereto the right of eminent domain; but this right passes thence to the newly formed State, whenever it is admitted into the Union." Cooley on Constitutional Limitations pages 525–6.

An examination of the Acts of Congress granting charters to rail road corporations, where the lines of the same run into or through the Territories of the United States, will show that said acts clearly define how private property shall be taken for the use of said corporations. If the right of eminent domain exists in Territorial Governments, why has Congress inserted such provisions in said acts?

Respectfully

B.F. Potts

Governor

Executive Department
Montana Territory
Virginia City May 6. 1873

To the House of Representatives

I have the honor to inform the House of Representatives, that I have this day approved H.B. No 56, entitled "An Act to fix the time of holding the

Territory: Also H.B. No. 63, entitled An Act to provide for the payment of certain expenses and making an appropriation therefor.

Respectfully

B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City May 6. 1873.

To the Council.

I have the honor to inform the Council that I have this day approved C.B. No. 65, entitled an Act to amend section 112 of Chapter 21, of an Act entitled An Act, Revising, Re-enacting and Codifying the general and permanent laws of Montana Territory, approved January 12. 1872. Also C.B. No. 58, Entitled an Act requiring Territorial and County officers to record their official bonds. Also C.B. No. 64, Entitled an Act in relation to Administrators and Executors. Also C.B. No. 2 Entitled an Act to regulate and Govern the Penitentiary, at Deer Lodge City Montana Territory.

Respectfully

B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City May 6. 1873

To the Council.

I have the honor to nominate and by and with the consent of the Council appoint the following officers, to wit:

For Directors of the Penitentiary,
Conrad Kohrs of Deer Lodge County.
Granville Stuart " " " "
Hugh Duncan " Madison " who shall hold their respective offices from May 10. 1873 until February 1st. A.D. 1875.

For Warden of the Penitentiary,
Cornelius R. Arquee, of Deer Lodge County; who shall hold his office until the first Tuesday of

February A.D. 1874. Respectfully

B. F. Potts
Governor.

Council Chamber
Virginia City Montana
May 6. 1873.

To His Excellency
B. F. Potts, Governor &c

I am instructed by the Council to inform your Excellency, that the Council has considered the Communication of your Excellency containing the nominations of
Conrad Kohrs of Deer Lodge Co.
Granville Stuart " " " " and
Hugh Duncan " Madison Co.
to be Directors of the Penitentiary at Deer Lodge City from May 10th 1873 until February 1st A.D. 1874; and
Cornelius Rickadriance, to be Warden of the Penitentiary, until the first Tuesday of February A.D. 1874, and that the Council has confirmed said Nominations for the times specified by your Excellency.

I am Very Respectfully
Your Excellency's Obt Svt
A. M. S. Carpenter.
Chief Clerk.

Executive Department
Montana Territory
Virginia City May 6. 1873

To the House of Representatives

In compliance with House Concurrent Resolution No. 8, I hereby return C.B. No. 66 entitled an Act making Certain Appropriations for the further Consideration of the Legislative Assembly

Respectfully

B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City May 7. 1873

To the Council.

I have the honor to return to the Council without my approval, C.B. No 63, entitled, "an act enabling any County or Counties within the Territory of Montana to aid in the construction of a Railroad and to subscribe to the capital stock of the same."

This bill was received at a late hour last night and I have not had time to present my objections to the same at such length as I would desire, but content myself by stating such objections as occur to me now.

I entertain the same views that I expressed to you in my Message at the opening of the present session, as to the propriety of the legislation contemplated by this bill. A careful consideration of the power conferred by Congress on the Territorial Legislatures, forces me to the conclusion that the authority for the passage of this bill is so doubtful, if not totally unauthorized as should have prevented its passage; nor do I believe that the bill meets the honest views entertained by a majority of the Legislative Assembly, but that its passage was secured against the better judgment of a large majority of its members.

The amount to be assessed on the Counties named in the bill, will be at least three times more than has ever been granted to aid a Railroad Corporation in any Country by the same number of people, with the same amount of wealth. And the friends of this bill are not content in demanding fifteen or twenty per cent of the assessed value of the property now, but demand that what the people accumulate by the severest industry and economy for the next three years, shall also pay tribute to the Corporation that accepts the provisions of the bill. If the property and wealth increase as the friends of the bill predict, the amount of bonds to be issued under the bill will more than double the amount of bonds provided for in the Sanders bill and with fewer safeguards for the protection of the people

The bonds are not to be issued on a safe basis of assessment, but upon a fictitious and inflated one. All property situated in the line of a completed Railroad immediately following its completion, has a fictitious inflated value; and it will [illegible]

road company, to inflate the assessment the year following the completion of the road, by all the means, whether corrupt or otherwise, that they can control.

This opportunity for fraud and corruption should have been guarded against by the bill. The whole measure appears to have been framed in the interest of the rail road company, rather than that of the people. No authority appears to be given for the contest of elections on account of fraud; nor is the ballot box properly protected as the importance of the election requires. I do not believe it to be just, that simply a majority should govern elections, where peoples property is to be voted away against their consent, for the purpose contemplated by this bill.

The conduct of the "lobby" during the session, convinces me that a fair, free and untrammeled vote by the people will not be obtained if it can be prevented by them.

The experience of those municipalities in the State, that have granted aid to railroad corporations by subscribing stock or voting gifts, should have prevented this Legislature from inaugurating a policy that has proved so ruinous to every community where any considerable amount of aid has been voted. The people of many counties of the Western States that have aided to create railroad corporations, by voting aid to the same are now appealing to Congress to relieve them from the grasp of railroad monopolies that demand of them such excessive freights as prevents them from marketing their products at any price; and in many of the counties people and capital are flying to other localities to avoid the ruinous taxes imposed to aid the railroads. Can we expect to avoid the fate that has overtaken those people if the bill goes into effect? I cannot but think that the Legislature has overlooked the financial condition of the counties named in the bill. The latest statements submitted by those counties, show that none of them have paid current expenses during the past year, although no expenditures for public improvements have been made except in the county of Jefferson; and the present debt of said counties will, in the aggregate exceed the sum of three hundred thousand dollars. Is it reasonable or just, that to the present enormous debt, three or four millions of dollars additional should

ed by this Bill, will under a recent act be driven into, assessed and taxed in the Counties that have no debt and where the taxes are merely nominal, leaving the enormous burden saddled on certain Counties to be paid by the farmer and the hardy sons of toil who own but a cabin and a garden spot. Moveable capital will leave these Counties and seek investment where taxes are low and investments equally as profitable. The usurious rates of interest paid by the debtor must and will be increased in the same ratio of the rates of taxation, thus crushing the industries of the Counties and paralyzing the energies of the people.

The remote period named for the completion of the proposed line of Railroad, would authorize the prediction that the Northern Pacific Rail Road will be completed into Central Montana, in advance of or certainly by the period named for the completion of the said proposed line. The completion of the Northern Pacific Rail Road will place Montana nearer the great commercial and financial Centres of the Country, than her people would be, after traveling six hundred miles in the direction of the proposed line of the so-called North and South Road.

Would an investment in such an enterprise by our people be wise? I cannot think so. The passage of this Bill will retard immigration to the Territory. Frugal and industrious immigrants will not settle in a Country where taxes are high; and Montana must offer inducements superior to those offered by Wisconsin, Minnesota, Iowa and Dacotah, or immigrants will never reach us. Can any Country offer higher inducements to immigration than low taxes and the local Government economically administered?

I am convinced that the passage of this Bill will be detrimental to the best interests of the people of the Territory and I cannot give my Consent to it. Let those who differ with me and support and pass the bill, take the credit and responsibility of the same. I want neither.

Respectfully

B. F. Potts.
Governor

Executive Department
Montana Territory
Virginia City May 7. 1873

To the Council

I have the honor to inform the Council that I have this day approved C. Betty, entitled an act to amend [illegible]

inal Practice Act, approved January 12. 1872. Also C.B. No 71 entitled An Act to amend Section 8 of Chapter 37 of An Act, entitled an Act Revising, re-enacting and Codifying the General and Permanent laws of Montana Territory approv. January 12. 1872. Also C.B. No 57 entitled an Act for the payment of Certain moneys by the Treasurer of Lewis and Clarke County to the Treasurer of the Helena Fire Department.

Respectfully

B. F. Potts
Governor

Executive Department,
Montana Territory.
Virginia City May 8. 1873

To the House of Representatives

I have the honor to inform the House of Representatives, that I have this day approved H.B. No 65, entitled an Act to provide for the publication of certain laws. Also H.B. No 25 entitled an Act to provide for the location and recording of mining claims or veins or lodes.

Respectfully.

B. F. Potts
Governor

Executive Department
Montana Territory
Virginia City May 8. 1873

To the Council.

I have the honor to inform the Council that I have this day approved C.B. No 9, entitled an Act to provide for a system of Common Schools, approved January 12. 1872. Also Council Bill No 46 entitled an Act concerning Licenses. Also C.B. No 75, entitled an Act to furnish members of the Legislative Assembly of the Territory of Montana with Copies of laws and journals. Also C.B. No 36 entitled An Act in relation to the payment of fees. Also C.B. No 29 entitled an Act to amend Section 459 of the Criminal Practice Act, approved January 12. 1872. Also C.B. No 60. entitled an Act to punish prisoners for breaking, escaping or attempting to break or escape from the Penitentiary or other prisons or assaulting the Keeper thereof. Also C.B. No 57, entitled an

Also C.B. No. 59, entitled an Act to amend Sections 7, 12 and 14 of Chapter 47 of an Act, entitled An Act revising, re-enacting and codifying the General and Permanent laws of Montana Territory.

Respectfully.

B.F. Potts
Governor.

Executive Department,
Montana Territory.
Virginia City May 21. 1873

To the Council.

I have the honor to inform the Council that I have this day approved Council Bill No 19 entitled an Act to define and provide for the working of public roads and highways, Also C.B. No. 70 Entitled an Act making certain appropriations to the Historical Society and the Territorial Law Library.

Respectfully

B.F. Potts
Governor

In the matter of the
Pardon of Charles Peter Graves

Charles Peter Graves was convicted at the December Term of the District Court in and for Deer Lodge County Montana Territory of the Crime of Assault with a deadly weapon, with intent to do bodily injury.

Pardoned May 20. 1873 and restored to all his civil rights on recommendation of Hon. H. Knowles Judge and divers good Citizens of Deer Lodge County, Montana, because of the uniform good conduct of Grave and that the Crime was committed in a moment of passion

Done at Virginia City, the Capital. May 20. 1873

B.F. Potts
Governor

By the Governor
J. Callaway
Secretary

In the matter of the
Pardon of James Reed

James Reed was convicted of Grand Larceny, at the October Term of the Gallatin County District Court and sentenced November 1, 1871 to confinement in the Penitentiary

A pardon restoring him to all his civil rights is hereby issued to said James Reed, upon the recommendation of Hugh Duncan one of the Directors and C B Adriance, Warden of the Penitentiary, because of his uniform good conduct while in prison and that he has a family which is dependent upon his labor for support.

Done at Virginia City, the Capital, May 27. 1873.

B. F. Potts

By the Governor — Governor

J. E. Callaway

Secretary

In the matter of the
Pardon of George Clarke

George Clarke was convicted of Grand Larceny at the October Term of the Gallatin County District Court 1872 and sentenced to confinement in the Penitentiary for the period of one Year.

A pardon restoring him to all his civil rights is hereby issued to said George Clarke, upon the recommendation of Hugh Duncan one of the Directors, C B Adriance Warden of the Penitentiary and John Guy Sheriff of Gallatin County because of his uniform good conduct while in prison and for divers other good reasons.

Done at Virginia City, the Capital, June 5. A D 1873

B F. Potts

By the Governor — Governor

J. E. Callaway

Secretary

The Territory of Montana
Executive Department

To his Excellency, the Governor of the Territory of Utah

B. F. Potts

Governor of Montana

Whereas, it appears by the annexed indictment duly authenticated in accordance with the laws of this Territory, that Ambrose B Kiser stands charged with the Crime of Embezzlement, committed in the County of Madison, in this Territory and that it has been represented to me that he has fled from this Territory and has taken refuge in the Territory of Utah.

Now therefore, pursuant to the provisions of the Constitution and Laws of the United States, in such cases made and provided I do hereby request that the said Ambrose B Kiser be apprehended and delivered to James M. Tinsley, who is hereby

Montana, there to be dealt with according to law.

Seal

Given under my hand and the Great Seal of the Territory of Montana, at Virginia City, this the Fourteenth day of June, in the Year of our Lord One thousand eight hundred and Seventy three

B. F. Potts
Governor

By the Governor
Jas E. Callaway
Secretary.

Official oath of Merritt C. Page Esq. U.S. Dist Atty.

Territory of Montana
County of Lewis & Clarke } ss

I, Merritt C. Page appointed by the President of the United States on the 17th day of May A.D. 1872 Attorney of the United States in and for the Territory of Montana, being first duly sworn according to law on oath say, I will support the Constitution of the United States and will faithfully execute and perform the duties pertaining to my office as such Attorney of the United States to the best of my Knowledge, Skill and ability — So help me God

Merritt C. Page

Sworn to and subscribed before me this 8th day of June A.D. 1872

D. J. Wade
Chief Justice of the Supreme Court of Montana Territory.

Official oath of Cornelius Hedges Esq Ter. Supt of Public Instruction

Territory of Montana
County of Lewis & Clarke } ss

I, Cornelius Hedges do hereby solemnly promise and swear that I will support the Constitution of the United States, the Organic Act of Montana Territory and will faithfully execute the duties of Superintendent of Public Instruction

which I have been appointed.
Cornelius Hedges

Subscribed & Sworn to
before me, this 12th day of
May AD 1873
Harry C. Conly
Notary Public M.T.

Seal

Official Oath of Cornelius B. Adriance
Warden of the Penitentiary.

Territory of Montana }
Deer Lodge County } ss

I Cornelius B. Adriance, do solemnly swear that I will support the Constitution and Laws of the United States and the Organic Act and Laws of the Territory of Montana; that I will faithfully discharge the duties of Warden of the Penitentiary to the best of my ability, So help me God.
Cornelius B. Adriance

Sworn to and subscribed
before me, this 15 day of
May A.D. 1873
J. O. Robinson
Notary Public

Official oath of Granville Stuart Esq
Director of the Penitentiary

Territory of Montana }
County of Deer Lodge } ss

I Granville Stuart do solemnly swear that I will support the Constitution of the United States, the Organic Act and Laws of the Territory of Montana and that I will to the best of my ability discharge the duties of Director of the Penitentiary of Montana Territory, So help me God
Granville Stuart.

Subscribed and Sworn to before me, this the 15th day of May AD 1873.
Hiram Knowles
[illegible]

Official oath of Hugh Duncan Esq
Director of the Penitentiary

Territory of Montana }
Madison County. }

I Hugh Duncan do solemnly swear that I will support the Constitution and Laws of the United States and the Organic Act and Laws of the Territory of Montana, that I will faithfully discharge the duties of Director of the Penitentiary to the best of my ability, so help me God

Hugh Duncan

Sworn to and subscribed before me, this 27th day of May A.D. 1873

F. C. Deindling
Notary Public

Official oath of J. H. Robertson Esq.
Director of the Penitentiary.

Territory of Montana }
County of Deer Lodge } S.S.

I J. H. Robertson do solemnly swear that I will support the Constitution and laws of the United States and the Organic Act and Laws of the Territory of Montana and will faithfully discharge to the best of my knowledge and ability all duties imposed upon me by law as a Director of the Penitentiary of Montana Territory. So help me God

J. H. Robertson

Subscribed and Sworn to before me, this 6th day of June 1873

J. C. Robinson
Notary Public
Montana Territory

(Seal.)

Executive Department
Montana Territory
Virginia City July 1st 1873

It is hereby certified that by virtue of the provisions of law, Harrison Blundell is entitled to a Warrant on the [illegible]

Dollars as Salary as Keeper of the Arsenal at Virginia City, for the Quarter ending June 30. AD 1873

Given under my Hand and the Great Seal of the Territory, the Day and Year aforesaid

(Seal)

B. F. Potts
Governor

Territory of Montana
Treasurer's Office
Virginia City M.T. July the 16th 1873

To Hon. B. F. Potts
Governor of M.T.

Dear Sir

I hereby tender to you my resignation of the office of Territorial Treasurer; said resignation to take effect on July 20. 1873

Very Respectfully
Your Obedient Servant
R. O. Hickman
Ter. Treas.

Montana Territory
Executive Department
Virginia City July 16. 1873

The resignation of Hon. R. O. Hickman Territorial Treasurer, is accepted to take effect July 20th AD. 1873.

B. F. Potts
Governor

Montana Territory
Executive Department
Virginia City July 17. 1873

By virtue of the authority vested in me by the Organic act of said Territory, as Governor of the same, I do hereby appoint Richard O. Hickman of Madison County, as Territorial Treasurer for the period of two years from July 20th AD. 1873, subject to the advice and consent of the Legislative Council at its next Session

Given under my hand and the Great Seal of the Territory aforesaid, the day

Seal.

and year above written

B. F. Potts
Governor

Attest
J. E. Callaway
Secretary

Territory of Montana
Virginia City July 20. 1873

Territory of Montana
County of Madison } ss

Richard O. McKinney having been duly appointed Treasurer of Montana Territory, being by me sworn, says on his oath that he will bear true allegiance to the United States of America, that he will bear and uphold the same against all enemies; that he will support the Constitution of the United States and the Organic Act of said Territory and that he will faithfully discharge the duties of the office of Territorial Treasurer upon which he is about to enter.

Richard O. McKinney

Subscribed and sworn to before me, this 20th day of July A.D. 1873

M. D. Johnson
Notary Public

Seal.
Attest
J. E. Callaway
Secretary

Territory of Montana
Executive Department
Virginia City August 5. 1873

It is hereby certified that on the 14th day of June 1873, the undersigned in pursuance of law, offered a reward of Five hundred Dollars for the apprehension and delivery of A. B. Kier to the Sheriff of Madison County, Montana Territory, charged with the Crime of Embezzlement; and upon the production of a receipt of the Sheriff of Madison County for the delivery of the body of the said Kier by James M. Fish, the fact was certified to the Territorial Auditor that said Fish was entitled to a Warrant on the Territorial Treasury for the said reward of Five hundred Dollars.

B. F. Potts
Governor

In the Matter of the pardon of Henry Deneke

Henry Deneke was convicted of the Crime of Grand Larceny at the July Term 1871 of the District Court of the County of Lewis and Clarke and was sentenced to Confinement in the Penitentiary for the term of three Years. A pardon restoring him to all his Civil rights is hereby issued to said Henry Deneke, upon the recommendation of the Directors and Warden of the Penitentiary, because of his uniform good Conduct while in prison.

Done at Virginia City August 5 A.D. 1873

B.F. Potts
Governor

By the Governor
J.E. Callaway
Secretary.

In the Matter of the pardon of Henry Graham

Henry Graham was convicted of the Crime of Grand Larceny at the November Term of the District Court A.D. 1872 in and for Madison County and sentenced to Confinement in the Penitentiary for the period of one Year.

A pardon is hereby issued on account of his extreme Youth, his uniform Good Conduct while in prison and on Condition that he will leave the Territory within twenty days and return to his parents

Done at Virginia City, August 20th A.D. 1873

B.F. Potts
Governor

By the Governor
J.E. Callaway
Secy.

Territory of Montana
Executive Department
Virginia City October 9. 1873

It is hereby certified that Harrison Mundell is entitled to a Warrant on the Territorial Treasury for the sum of fifty Dollars, for services as the Keeper of the Territorial Arsenal, for the quarter ending September 30, A.D. 1873.

B.F. Potts
Governor

In the matter of the pardon of Samuel Ayles.

Samuel Ayles, was convicted of the Crime of Grand Larceny at the June Term A.D. 1872 of the District Court within and for the County of Lewis and Clarke and sentenced to confinement in the Penitentiary for the period of two years

A pardon is hereby issued to said Samuel Ayles upon the recommendation of the Directors of the Penitentiary and because of his uniform good conduct while in prison.

Done at Virginia City, October 9th A.D. 1873.

B F. Potts
Governor

(Seal)

By the Governor
J. E. Callaway
Secty.

In the name and by the authority of the Territory of Montana

(Seal)

Thanksgiving Proclamation.

Believing in the Lord our God, in whom our fathers trusted and acknowledging with gratitude and praise the unnumbered blessings which he has been pleased to shower upon our Territory and Nation and in pursuance of the sacred Custom of our fathers and in Conformity with the Proclamation of His Excellency the President of the United States, recommending that

Thursday, the 27th day of November next, be observed as a day of Thanksgiving and Praise.

I Benjamin F. Potts, Governor of Montana Territory, do request that all people within the limits of this Territory do observe said day with due solemnity - "O give thanks unto the Lord for he is Good, for His mercy endureth forever" - "Clap your hands all Ye people, shout unto God with the voice of triumph."

In Witness whereof, I have hereunto set my hand and caused the Great Seal of the Territory to be affixed. Done at Virginia City the Capital, this the Twenty five day of October, in the year of our Lord

One thousand, Eight hundred and Seventy three; and of the Independence of the United States, the Ninety Eighth.

(Seal)

B. F. Potts
Governor

By the Governor
Jas E. Callaway
Secretary.

In the Matter of the
Pardon of John M. Tinsley

John M. Tinsley was convicted of the Crime of Manslaughter, at the July Term 1873 of the District Court within and for the County of Madison and sentenced to Confinement in the Penitentiary, for the term of one year.

A Pardon, restoring him to all his Civil Rights is hereby issued to said John M. Tinsley, because of his failing health and upon the recommendation of five hundred Good Citizens of Madison, Jefferson and Gallatin Counties and of the District Attorney and Eight of the jurors who tried the Case.

Done at Virginia City October 28 AD 1873

(Seal)

B. F. Potts
Governor

By the Governor
J. E. Callaway
Secretary

A. G. P. George of Jefferson County Montana Territory was on the 16th day of August AD 1871 appointed and commissioned by the Governor of said Territory as a Notary Public in and for said Jefferson County. The said George having failed to qualify as such Notary Public as required by law, the Commission heretofore granted him is hereby revoked and all authority heretofore derived from said Commission, is hereby declared null and void.

Given under my hand and the Great Seal of the Territory, this the 14th day of November AD 1873

(Seal)

B. F. Potts
Governor

This Pardon by Governor for the above pardon

Virginia City M.T.
December 10th 1873.

To B. F. Potts
Governor &c.

Sir

I hereby tender my resignation as Director of the Montana Penitentiary, at Deer Lodge City M.T.

Respectfully, Hugh Duncan

Executive Department,
Montana Territory
Virginia City Dec. 10. 1873.

The resignation of Hugh Duncan as Director of the Montana Penitentiary is accepted.

B. F. Potts
Governor

In the matter of the pardon
of James McLinn.

James McLinn was convicted of Housebreaking and Burglary at the November Term of the District Court 1871, in and for Gallatin County M.T. and was sentenced to imprisonment in the Penitentiary for the period of Five Years

A pardon restoring him to all his civil rights, is hereby issued to said James McLinn, upon the recommendation of the Physician of the Penitentiary and over One hundred Citizens of the Territory and because of his uniform good conduct while in prison.

Done at Virginia City, December 10th A.D. 1873

B. F. Potts
Governor

Deer Lodge City M.T.
Dec. 16. 1873

C. B. Adriance Esq
Warden
Deer Lodge City M.T.

Dear Sir.

I regret that it has be-
come ~~[illegible]~~

ignahin as Warden of the Penitentiary, to take effect this day. The time has arrived when, in my opinion, some changes in the management of the Penitentiary must be made. The expenditures of the prison have steadily increased; and as the Executive head of the same the responsibility rests largely upon you. The expenditures are too large and must be reduced and with good management and reasonable economy, I have no doubt they can be reduced.

You have had a fair trial and the result is not satisfactory to me, nor do I believe it is satisfactory to a majority of the Board of Directors.

You will please send me your resignation before 10 o'clock A.M. tomorrow.

Very Respectfully

B. F. Potts,
Governor

Montana Penitentiary
Office of the Warden
Deer Lodge M. T. Dec. 17. 1873

Gov. B. F. Potts
Deer Lodge City Montana.

Dear Sir,

I have the honor to tender my resignation as Warden of the Montana Penitentiary and would be pleased if accepted, at once.

I am Very Respectfully.
C. B. Adriance

Montana Territory,
Executive Department.
Virginia City Dec. 17. 1873

The resignation of C. B. Adriance as Warden of the Montana Penitentiary, is hereby accepted to take effect this day.

B. F. Potts
Governor

Montana Territory,
Executive Department.
Virginia City M. T. Dec. 17. 1873

By virtue of the authority vested in me by law, as Governor

Warden of the Montana Penitentiary, vice C B Adriance resigned, to serve from date until the First day of February AD 1874, subject to the advice and Consent of the Legislative Council at its next Session.

B. F. Potts
Governor

Territory of Montana }
County of Deer Lodge } ss.

I, J N Buck having been on the 20th day of December 1873, appointed Warden of the Penitentiary of the Territory of Montana, do solemnly swear that I will faithfully support the Constitution of the United States and the laws thereof and the Organic Act of the Territory of Montana and the laws of said Territory and will faithfully discharge all duties required of me as such Warden, to the best of my knowledge and ability, so help me God.

J N Buck

Subscribed and sworn }
to before me this 26th }
day of December 1873 }
Louis McMurtry }
Notary Public

Montana Territory
Executive Department.
Virginia City Jany 3. 1874

It is hereby certified that Harrison Mundell is entitled to a Warrant on the Territorial Treasury, for the sum of Fifty dollars for services as Keeper of the Territorial Arsenal at Virginia City, for the quarter ending December 31st. 1873.

B. F. Potts
Governor

Montana Territory
Executive Department.
Virginia City, January 5. 1874

To the Legislative Assembly
Dr. George Callaghan
[illegible] United States [illegible] 1874

All communications from the Executive to the Legislative Assembly will be delivered by him in person.

Respectfully

B. F. Potts

Governor

Montana Territory
Executive Department
Virginia City - Jany 7. 1874

To the Presiding Officer
of the Council.

Sir

I have the honor to nominate and by and with the advice and consent of the Legislative Council appoint J. H. Robertson of Deer Lodge County, Director of the Montana Penitentiary; to hold his office from the 2d day of June A.D. 1873 to the 1st day of February A.D. 1874, vice C. Rohrs declined.

Respectfully

B. F. Potts

Governor

Confirmed January 7. 1874

Montana Territory
Executive Department
Virginia City January 7. 1874

To the Presiding Officer
of the Council.

Sir.

I have the honor to nominate and by and with the advice and consent of the Legislative Council, appoint Page N. Buck of Deer Lodge County, Warden of the Montana Penitentiary to serve from December 17th A.D. 1873, until the first Tuesday of February A.D. 1874.

Respectfully

B. F. Potts

Governor

Confirmed January 7. 1874

Montana Territory
Executive Department
Virginia City January 8. 1874

To the Legislative Assembly

At the request of his Excellency the Governor of the State of New Jersey I have the honor to submit a Copy of an Act of the New Jersey Legislature entitled an Act to make a Contribution toward the Completion of the Washington National Monument. Only one copy having been furnished this Department the same is sent to the Council.

Respectfully

B. F. Potts
Governor

Montana Territory
Executive Department
Virginia City, January 8. 1874

To the Legislative Assembly

I have the honor to transmit to the Legislative Assembly, the Sixth annual Report of the American Society for the prevention of Cruelty to Animals and the By Laws of said Society.

Also a Copy of the Laws of the State of New York enacted for the prevention of Cruelty to Animals.

Respectfully

B. F. Potts
Governor

Montana Territory
Executive Department
Virginia City, January 13. 1874.

To the Presiding Officer
of the Council.

I have the honor to nominate and by and with the advice and Consent of the Council appoint and Commission Cornelius Hedges of Lewis and Clarke County, Superintendent of Public Instruction, for the period of two Years from January 15th A.D. 1874.

Respectfully

B. F. Potts
Governor

Confirmed by Council. January 13th A.D. 1874

Montana Territory
Executive Department
Virginia City January 13. 1874.

To the Legislative Assembly:

The memorial adopted by the Denver Convention on the subject of Irrigation is hereby submitted for the information of the Legislative Assembly.

Respectfully

B. F. Potts
Governor

Montana Territory
Executive Department
Virginia City, January 13 1874

To the Legislative Assembly:

I have the honor to submit for your information from the Hon. Daniel J. Morrill, Chairman of the Executive Committee of the U. S. Centennial Commission, together with information for the Exhibitors and proclamation of the President of the United States, announcing the time and place of holding the International Exhibition of Arts, Manufactures and Products of the Soil and Mine in the year 1876.

I commend this subject to your most favorable consideration and trust you will not hesitate to provide by appropriate legislation for giving the products of Montana a prominent place at said Exhibition.

I suggest the appointment of a Board composed of some of the most influential citizens of the Territory, to aid in the collection of the products of the Territory, to be forwarded as early as the Autumn of 1875 to Philadelphia.

Respectfully

B. F. Potts
Governor

Montana Territory
Executive Department
Virginia City Jany. 15. 1874

To the House of Representatives

I have the honor to inform the House of Representatives that I have this day approved H.B. No. 5 Entitled An Act to repeal An Act to provide for the forfeiture to the Territory of placer mines held by aliens, approved January 12th 1872

Respectfully

B. F. Potts
Governor

Montana Territory
Executive Department
Virginia City Jany. 17. 1874

To the Council

I have the honor to return to the Council C.B. No. 6. Entitled An Act for the support and maintenance of the Helena Fire Department without my approval. I object to the Bill, because under its provisions no levy of taxes can be made for the support and maintenance of the Helena Fire Department during the present year.

The bill provides that the taxes to be levied under its provisions, shall be levied in the same manner and at the same time as are the general taxes of Lewis and Clarke County, which according to law were levied on the 5th inst.

I think the Bill will not meet the wants of the Helena Fire Department.

Respectfully

B. F. Potts
Governor

Montana Territory
Executive Department
Virginia City Jany. 17. 1874

To the Council

I have the honor to inform the Council that I have this day approved C.B. No. 8 Entitled An Act to regulate the rights of

parties in the publication of legal Notices.

Respectfully

B.F. Potts

Governor

Montana Territory
Executive Department
Virginia City Jany 17. 1874

To the House of Representatives

I have the honor to inform the House of Representatives that I have this day approved House J. R. No 1. to compensate L.M. Todd for transporting ammunition from Helena to the Arsenal at Virginia City

Respectfully

B.F. Potts

Governor

Montana Territory
Executive Department
Virginia City January 23. 1874

To the House of Representatives

I have the honor to inform the House of Representatives, that I did on the 20 day of January 1874 approve H. J. M. No 1. in relation to the Yellowstone National Park. Also on the 21 day of January 1874, I approved H.B. No 14. Entitled An Act to amend Sec. 51 of Chapter 23 of an Act Revising, re-enacting and codifying the General and Permanent laws of Montana Territory approved January 12, 1872. Also on the same day I approved H. J. Memorial No 2. in relation to irrigation &c

Respectfully

B.F. Potts

Governor

Montana Territory
Executive Department
Virginia City January 23. 1874

To the Council.

I have the honor to inform the Council, that I did on the 20 day of January A.D. 1874

approve C. J. M. No 1. in relation to lands in the Bitter Root Valley. Also on the 21st day of January 1874, I approved C. J. R. No 5. without letter.

Respectfully

B. F. Potts

Governor

Montana Territory,
Executive Department,
Virginia City January 24. 1874

To the Council.

I have the honor to inform the Council that I have this day approved C. B. No 31. Entitled an Act to authorize the County Commissioners of Lewis and Clarke County to establish fire limits within the town of Helena and other purposes.

Respectfully

B. F. Potts

Governor

Montana Territory
Executive Department.
Virginia City January 24. 1874

To the House of Representatives.

I have the honor to inform the House of Representatives, that I have this day approved H. B. No 17, Entitled An Act to amend an Act authorizing the County Commissioners of Silverbow County to levy a Special tax for the purposes of building, buying and repairing Bridges.

Also H. B. No 20, Entitled An Act to amend an Act in relation to Counties and County officers, approved January 12. 1872.

Respectfully

B. F. Potts

Governor.

Montana Territory
Executive Department.
Virginia City January 31. 1874.

To the Council.

I have the honor to nominate and by and with the Consent of the Council appoint the following officers, to wit;

For Directors of the Penitentiary:
John Lains, of Deer Lodge County.
Henry D'Acheul " " "
Moses Moore of Lewis and Clarke " —
to serve for the period of two years from Febru-
ary 1. 1874.
For Warden of the Penitentiary.
Isaac N. Buck, of Deer Lodge County;
to serve for the period of two years from the
first Tuesday of February A.D. 1874.

Respectfully

B. F. Potts
Governor

Confirmed by the Council January 31. 1874

Montana Territory
Executive Department
Virginia City, Feb 2. 1874

To the Legislative Assembly.

I have the honor to submit for the information of the Legislature, a report of pardons granted by this department since December 20. 1871, with the reasons therefor.

A. Maw. (Chinaman)

Crime Assault with intent to kill. Sentence one Years imprisonment in the Penitentiary. Convicted at May Term 1871 of the District Court of Deer Lodge County.
Pardoned April 22. 1872 on the recommendation of W. D. Wheeler U.S. Marshal, and because of the uniform good Conduct of the Convict.

James Thompson.

Crime, Grand larceny. Sentence, Confinement in the Penitentiary for the period of one year and six months. Convicted at the December Term of the District Court for Deer Lodge County, 1870.
Pardoned April 22. 1872 on the recommendation of the Hon A. Knowles and of W. D. Wheeler U.S. Marshal because of the uniform good Conduct of the Convict.

Thomas Coatsworth.

Crime, Manslaughter. Sentence, confinement in the Penitentiary for the period of two years. Convicted at the November Term of the District Court for Lewis and Clarke County 1871.
Pardoned [illegible] 3 1872 [illegible]

Hon. D. S. Wade, Hon. J. A. Johnson, District Attorney, W. L. Steele, Sheriff, W. F. Wheeler, U. S. Marshal, the U. S. Grand Jury at the April Term 1872 for the 2d Judicial District; also ten of the jurors who tried Coatsworth and divers Good Citizens of Deer Lodge County; And also because said Coatsworth is seriously affected with Pulmonary Consumption as shown by the Certificate of the Physician of the Penitentiary.

T. J. Finnegan.

Crime, Petit larceny. Sentence, Confinement in the Jail of Madison County for the period of two months, by the Probate Court of said County.

Pardoned May 30. 1872, on the personal application of Several Good Citizens of Madison County.

Nathan Ward.

Crime, burglary. Sentence, Confinement in the Penitentiary for the period of one Year.

Convicted at the June Term of the District Court 1871 for Gallatin County.

Pardoned June 10. 1872, because of the uniform good conduct of the Convict while in Prison.

Moi Doi (Chinaman)

Crime, murder in the second degree. Sentence Confinement in the Penitentiary for the period of ten years. Convicted at the March Term of the District Court 1872 of Gallatin County.

Pardoned July 12. 1872, on the representations of the Physician of the Penitentiary and divers Good Citizens of said Gallatin County, that said Convict was laboring under a fatal disease, which was aggravated by reason of Confinement — (Said Convict died of said disease a few days after his release.)

Charles Littlefield.

Crime Grand larceny. Sentence Confinement in the Penitentiary for the period of two years.

Convicted at the September term of the District Court 1870 for Deer Lodge County.

Pardoned July 12. 1872, on the Recommendation of the U. S. Marshal, that said Convict be allowed thirty days per annum, for good behavior while in prison.

William Morgan.

Crime, Petit larceny — Sentence Confinement in the Jail of Madison County, for the period of sixty days.

Convicted before Wm. Reel a Justice of the Peace in and for said Madison Co. on the [illegible]

1872. Pardoned July 24. 1872, on the recommendation of divers good citizens of said County, because of the extreme Youth of the boy and uniform good Character.

John Morrow.

Crime, Manslaughter. Sentence, Confinement in the Penitentiary for the period of two years.
Convicted at the July term 1871 of the District Court for Lewis and Clarke County.
Pardoned August 28, 1872, on the recommendation of the Physician of the Penitentiary, U. S. Marshal Wheeler, Hon. John E. Blaine, Hon. C. Hedges, J. A. Viall Esq. and 128 Good Citizens of the Territory and because of his good Conduct while in prison.

M. E. Metcalf.

Crime, grand larceny. Sentence Confinement in the Penitentiary for the Period of three years.
Convicted at the July term of the District Court for Lewis and Clarke County.
Pardoned December 13. 1872, on the recommendation of James Gilchrist late Warden of the Penitentiary and M. B. Adriance then Warden, because of the good Conduct of the Convict while in prison.

Charles Peter Groves

Crime, assault with a deadly weapon.
Sentence Confinement in the Penitentiary for the period of one Year.
Convicted at the December Term 1872 of the District Court for Deer Lodge County.
Pardoned May 20. 1873, on the recommendation of the Judge and District Attorney of the 2d. Judicial District and divers other good Citizens of said County and for uniform Good Conduct while in prison.

James Reed.

Crime, grand larceny. Sentence confinement in the Penitentiary for the period of two years.
Convicted at the October Term of the District Court 1871 for Gallatin County.
Pardoned May 27. 1873, on the recommendation of the Warden and one of the Directors of the Penitentiary, because of the Good Conduct of the Convict and that his wife and Child were dependent on his labor for Support.

George Clarke.

Crime, Grand larceny. Sentence, Confinement in the Penitentiary for the period of one Year.
Convicted at the October term of the District Court 1872 for Gallatin County.

Pardoned June 5. 1873, on recommendation of the Warden and one Director of the Penitentiary and John C. Gay Esq, Sheriff of Gallatin County and because of the Convict's good conduct while in prison.

Henry Deneka

Crime, grand larceny. Sentence, Confinement in the Penitentiary for the period of three Years.
Convicted at the July term 1871 of the District Court for Lewis and Clarke County.

Pardoned August 5. 1873, on the recommendation of the Directors and Warden of the Penitentiary, because of the uniform Good Conduct of the Convict during imprisonment.

Henry Graham.

Crime, Grand larceny. Sentence, Confinement in the Penitentiary for the term of one Year.
Convicted at the November Term of the District Court 1872 for Madison County.

Pardoned August 20. 1873, because of his Youth and his uniform good conduct while in prison and upon Condition that he would leave the Territory and go to his parents in the State of California.

Samuel Styles.

Crime, grand larceny. Sentence, Confinement in the Penitentiary for the term of two years.
Convicted at the June Term 1872 of the District Court for Lewis and Clarke County.

Pardoned October 9. 1873 on the recommendation of the Directors of the Penitentiary.

John W. Tinsley

Crime, manslaughter. Sentence Confinement in the Penitentiary for the term of one Year.
Convicted at the July Term 1873 of the District Court for Madison County.

Pardoned October 28. 1873, on Recommendation of five hundred good citizens of Madison, Jefferson and Gallatin Counties and the District Attorney and eight of the jurors who tried the case and because of failing health caused by imprisonment.

James McLin.

Crime, housebreaking and burglary. Sentence, confinement in the Penitentiary for the term of five years. Convicted at the November Term 1871 of the District Court for Gallatin County.

Pardoned, December 19. 1873, on the recommendation of the Physician of the Penitentiary and more than One hundred good citizens of the Territory and because of good conduct while in prison.

The convicts who have been pardoned, have so conducted themselves, with a single exception, as to prove that Executive clemency has been worthily bestowed

Respectfully

B.F. Potts

Governor

Executive Department
Montana Territory
Virginia City February 4. 1874

To the Council.

I have the honor to inform the Council, that I did on the 28th day of January 1874 approve C.B. No 41, Entitled an act to provide for the Support and Maintenance of the Deer Lodge Fire Department.

Also on the 3rd day of February A.D. 1874, I approved C.J.R. No 4. To pay Wm Thompson and E.H. Barlett Co. for Repairing Arsenal in 1872. And also on same day I approved C.B. No 17 Entitled an act to regulate proceedings in cases of certain misdemeanors

Respectfully

B.F. Potts

Governor

Executive Department
Montana Territory
Virginia City February 4. 1874

To the House of Representatives.

I have the honor to inform the House of Representatives, that I did on the 31st day of January A.D. 1874, approve H.B. No. 34, Entitled an act to authorize the County Commissioners of Deer Lodge County to appoint a Fire Warden and for other purposes.

[illegible] 1874 I approved

H.B. No. 2, Entitled an Act in relation to Trade Marks and Brands.

Respectfully

B.F. Potts
Governor

Executive Department
Montana Territory
Virginia City February 7. 1874.

To the House of Representatives.

I have the honor to inform the House of Representatives, that I did on the 7th day of February, A.D. 1874, approve H.B. No. 1 Entitled An Act to attach to the Counties of Madison and Beaver Head that portion of the public domain described in the Act of Congress approved February 17. 1873, entitled An Act to readjust the Western boundary of Dakota Territory.

Respectfully

B.F. Potts
Governor

Executive Department,
Montana Territory
Virginia City, February 7. 1874.

To the Council

I have the honor to inform the Council that I did on the 4th day of February, A.D. 1874, approve C.B. No. 12, Entitled an Act to authorize Married women in their own names to transact business as sole traders.

Also on same day I approved C.B. No. 42, Entitled An Act to authorize the appointment and qualification of Deputy Clerks of District Courts.

Also on the 5th day of February A.D. 1874, I approved C.J.M. No. 3.

Respectfully

B.F. Potts
Governor

Executive Department,
Montana Territory
Virginia City February 10. 1874

To the House of Representatives

I have the honor to return to the House of Rep... H.B. 10

without my approval. The Resolution seeks to appropriate money from the Territorial Treasury to pay an officer of the Legislative Assembly, which is in direct violation of the Act of Congress which provides "that No law of any Territorial Legislature shall be made or enforced by which any officer of a Territory herein provided for or officers or members of any Territorial Legislature, shall be paid any compensation other than that provided by the Laws of the United States. (U.S. Statutes at Large, Vol. 17, page 416.)

I trust on a reconsideration of this Resolution You will not vote money from the Treasury without authority. A Territorial Legislature is the creature of Congress and is certainly not above the laws of Congress. Pause and consider before you set such a dangerous precedent for future Legislatures.

Respectfully

B.F. Potts

Governor

Executive Department,
Montana Territory,
Virginia City, February 10. 1874

To the Council.

I have the honor to inform the Council that I did on the 7th day of February A.D. 1874 approve C.J.R. No. 2. In relation to the protection of the Yellowstone Valley and of communication with the town of Bismarck, in Dakota.

Also on the same day, I approved C.B. No. 39 entitled An Act to amend Sections 32 and 33 of Chapter 23 of an Act, entitled An Act revising, re-enacting and Codifying the General and permanent laws of Montana Territory, approved January 12. 1872.

Also, on the 9th day of February A.D. 1874 I approved C.B. No. 23, Entitled An Act to amend Sec. 94 Chapter 21, of an Act entitled An Act revising, re-enacting and Codifying the General and permanent laws of Montana Territory, approved January 12. 1872.

Also on the same day I approved C.B. No. 18 Entitled An Act to amend An Act, entitled An Act providing for the Collection of Revenue and to [illegible]

Respectfully.
B. F. Potts
Governor.

Executive Department,
Montana Territory,
Virginia City February 10. 1874.

To the House of Representatives.

I have the honor to inform the House of Representatives, that I did on the 9th day of February A.D. 1874 approve H.B. No. 41 Entitled An Act to authorize the County Commissioners of Deer Lodge County to audit certain claims.

Also on the same day, I approved H.B. No. 30 ~~Entitled~~ An Act to amend Sec. 44 of Chapter 85 of an Act entitled An Act, revising, reenacting and Codifying the General and permanent laws of Montana Territory, in relation to the Revenue, approved January 12. 1872

Respectfully.
B. F. Potts
Governor.

Executive Department.
Montana Territory,
Virginia City, February 11. 1874.

To the House of Representatives

I have the honor to return to the House of Representatives H.B. No. 23 ~~Entitled~~ an Act to amend an Act Entitled an Act Relating to County Commissioners, approved January 9. 1872, without my approval. This bill provides that the County Commissioners of certain Counties shall publish a semi annual, instead of an annual Statement of the receipts and expenditures of their Counties. The expense that must be incurred under this bill, will be several thousand Dollars to the Counties named. Taxes are only collected once a year and I can see no reason why a statement of the receipts and expenditures should be published more often than once each year. This Session of the Legislative Assembly has signally failed to make any considerable reduction in the public expenditures, which appears to me was demanded by every consideration of public interest. [illegible]

therefore give my Consent to the increase of the Expenditures which must be incurred if this bill become a law. I also object to the bill, because it excepts certain counties from the provisions of the bill. If it is necessary for one County, it is for all.

I hope when you reconsider the bill, that you will not add to the burden of an overtaxed people.

Respectfully

B.F. Potts

Governor

Executive Department,
Montana Territory
Virginia City February 11. 1874

To the President of the Council.

I have the honor to nominate and by and with the advice and Consent of the Council appoint and Commission Richard O. Hickman of Madison County Territorial Treasurer for the period of two years from July 20th A.D. 1873.

Respectfully

B.F. Potts

Governor

Confirmed February 11. 1874

Executive Department
Montana Territory
Virginia City February 11. 1874

To the Council.

I have the honor to inform the Council that I have this day approved C.J.R. No. 2 in relation to the publication of the Report of the Directors of the Montana Penitentiary.

Also on same day I approved C.B. No. 21. Entitled, an Act authorizing the County Commissioners of Deer Lodge County to levy a Special tax for the purpose of keeping and building bridges.

Respectfully.

B.F. Potts

Governor

Executive Department,
Montana Territory
Virginia City, February 11. 1874.

To the President of the Council

I have the honor to nominate and by and with the advice and consent of the Council appoint and commission Dr. George Callaway of Madison County, Territorial Auditor, to serve for the period of two years from this date.

Respectfully

B. F. Potts
Governor

Confirmed Feb. 12. 1874

Executive Department,
Montana Territory,
Virginia City February 11. 1874.

To the House of Representatives

I have the honor to inform the House of Representatives, that I did on the 10th day of February, A.D. 1874, approve H.C.R. No 1 without title,

Also on the same day, I approved H.B. No 65 Entitled An Act to amend an Act entitled An Act in relation to the Collection of the Revenue, approved January 12. 1872.

Also, on the same day I approved H.B. No 15, Entitled An Act to change the Seat of Government of Montana Territory

Also on the same day, I approved H.B. No 61 Entitled An Act to repeal Section 25 of an Act concerning licenses, approved May 8. 1873, in relation to Telegraph Lines.

Respectfully

B. F. Potts
Governor

Territory of Montana
Executive Department,
Virginia City, February 12. 1874

To the Council

I have the honor to inform the Council that I have this day approved C.B. No. 17 Entitled An Act to provide for the Collection of Statistics.

Also on the same day, I approved C.B. No. 22. Entitled An Act in relation to Ta[illegible] and [illegible]

Also on the same day I approved C.B. No. 35, Entitled An Act to amend Section 422 of the Criminal Practice Act, passed January 12, 1872.

Also on the same day I approved C.C.R. No. 6 in relation to printing.

Also on same day I approved C.C.R. No. 5 in relation to printing.

Respectfully

B.F. Potts

Governor

Montana Territory.

Executive Department.

Virginia City, February 12. 1874

To the House of Representatives.

I have the honor to inform the House of Representatives that I have this day approved H.B. No. 71. Entitled An Act defining Grain offences therein named and providing a punishment therefor.

Also on same day I approved H.B. No. 63 Entitled An Act in relation to joint debtors.

Also on same day I approved H.J.R. No. 4.

Also on same day I approved H.J.R. No. 4, without title.

Respectfully

B.F. Potts

Governor

Montana Territory

Executive Department.

Virginia City February 13. 1874.

To the Legislative Assembly

I desire to again call your attention to the importance of making an appropriation to defray the expenses of placing Montana on an equal footing with the other Territories at the Centennial Celebration in 1876.

The question is with you whether Montana shall be known in the Celebration. If the resources of Montana is properly represented, it will do more to make her wealth known to the world and attract capital and immigrants than any thing else that is in the power of the Legislature

to do. I respectfully request that you take favorable action on the subject.

Respectfully

B. F. Potts
Governor

Montana Territory
Executive Department
Virginia City February 13, 1874

To the House of Representatives

I have the honor to inform the House of Representatives, that I have this day approved H.B. No 46, Entitled an Act to amend an Act entitled An Act revising, re-enacting and Codifying the general and permanent laws of Montana Territory, approved January 12, 1872.

Also H.B. No. 56, entitled in relation to Toll roads and bridges.

Also H.B. No. 3, Entitled an Act authorizing the County Commissioners of the Several Counties to dispose of the surplus Monies in the Several County funds.

Also H.B. No. 48, Entitled an Act for the support and maintenance of illegitimate Children.

Also H.B. No. 40, Entitled an Act Concerning the Managing of live Stock and to better promote the interest of Stock growers in the Territory of Montana.

Also H.B. No. 73, entitled an Act to amend an Act to regulate proceedings in Civil Cases in the Courts of Justice in the Territory of Montana.

Also H.B. No. 77, Entitled an Act to amend an Act to incorporate the City of Virginia, approved December 30, 1864.

Also H.C.R. No. 2. without title.

Also H.B. No. 30, Entitled an Act apportioning the Members of the Legislative Assembly and prescribing the time of their election.

Also H.B. No. 29, entitled an Act amending an Act Entitled an Act revising, re-enacting and Codifying the General and permanent laws of Montana Territory approved January 12. 1872.

Also H.B. No. 42, Entitled an Act in relation to mechanics liens.

Also, H.J.M. No. 3, without title.

Also H.B. No. 37, entitled an Act to establish the fees of Territorial Treasurer and Auditor.
Also H.B. No. 76, entitled an Act to curtail Certain expenses.
Also H.B. No. 62, Entitled an Act to incorporate the town of Bozeman.

Respectfully

B. F. Potts
Governor.

Montana Territory
Executive Department
Virginia City February 13. 1874.

To the Council.

I have the honor to inform the Council that I have this day approved C.B. No. 8, without title.
Also C.B. No. 50, Entitled an Act to regulate proceedings in Criminal Cases in the Courts of justice of the Territory of Montana, approved January 12. 1872.
Also C.B. No. 54 Entitled an Act appropriating certain Moneys in the sinking fund to defray the expences of the Montana Penitentiary.
Also, C.B. No. 61. Entitled an Act in relation to a fire tax in the town of Helena, Lewis and Clarke County.
Also C.B. No. 47, Entitled an Act to amend Chapter 59 of the General and miscellaneous laws of Montana Territory.
Also C.B. No. 56, Entitled an Act to amend Sections 23 and 25 of Chapter 21. of an Act revising, reenacting and Codifying the General and permanent laws of Montana Territory, approved January 12. 1872.
Also C.B. No. 62, entitled an Act to authorize the County Commissioners of Deer Lodge County to remove the dead buried in the Cemetery within the limits of the town of Deer Lodge.
Also C.B. No. 63, Entitled an Act to authorize the County Commissioners of Gallatin County to appoint a Fire Warden in the town of Bozeman and for other purposes.
Also C.B. No. 46 to provide for and regulate the rates of charges for the publication of legal documents.
Also C.B. No. 59, Entitled an Act to provide for the custody, maintenance and treatment of insane.
Also C.B. No. 67, entitled an Act to provide for the [illegible] in the terms of the [illegible]

business,
Also C.B. No. 14, Entitled an Act to provide for the more speedy settlement of small Estates.
Also C.B. No. 44, entitled An Act to provide for the redemption of the funded debt of Lewis and Clarke County
Also, C.C.R. No. 9. without title.
Also, C.B. No. 55 entitled An Act to amend Sections 56, 139, 140, 155 and 156 of an Act to regulate proceedings in Civil Cases, in the Courts of justice of the Territory of Montana, approved January 12. 1872.
Also, C.B. No. 7, entitled an Act concerning rights of way and Easements and other necessary means for the development of mines.
Also C.B. No. 26, Entitled An Act to amend Section 7 of Chapter 20, of an Act concerning Counties and County boundaries.
Also, C.B. No. 57, Entitled an Act to amend an Act, Entitled an Act to regulate and Govern the Montana Penitentiary, approved May 8. 1873.
Also, C.B. No. 53, Entitled an Act defining the duties of the Territorial Auditor.
Also C.J.R. No. 13 in relation to the Correction and distribution of the laws.
Also C.B. No. 33, Entitled an Act to provide for a System of Common Schools.
Also C.B. No. 44, Entitled an Act to provide for the education of deaf mutes and blind Children.

Respectfully
B.F. Potts
Governor

In the Matter of the pardon of John Williams

John Williams was convicted of the Crime of Robbery at the July Term 1871 of the District Court of Lewis and Clarke County; and sentenced to Confinement in the Mont and Penitentiary for the period of ten years. A pardon restoring him to all his Civil rights is hereby granted to said John Williams upon the Recommendation of John Glass ~~Chief Dep~~ U.S. Marshal, on a Statement of the facts Co with the Commission of the Crime, from which it that there were many mitigating Circumstances in Mitigation of his un-

This pardon is granted upon the conditions hereto attached and signed by said John Williams.
Given under my hand and the seal of the Territory February 19. A.D. 1874.

B. F. Potts
Governor

The foregoing pardon is granted upon the express condition, that said John Williams will bind himself that he will never use any kind of intoxicating liquors as a beverage, nor will frequent places where the same is sold; and that he will observe the strictest habits of industry and economy. If said Williams shall give his voluntary assent to the foregoing conditions he will sign the same; and if he fails to observe the same, he shall be arrested and returned to the prison there to serve out the remainder of his time.

I, John Williams do hereby voluntarily assent to the foregoing conditions.

Signed in presence of
Geo. Pascoe
Feb. 26, 1874

(signed) John Williams

Montana Territory }
Lewis and Clarke County } ss

I, Moses Moore do solemnly swear, that I will support the Constitution of the United States and the Organic Act of this Territory and discharge the duties of the office of Director of the Territorial Penitentiary during the term of my office, according to the best of my ability, so help me God.

Moses Moore

Sworn and subscribed before me, this 7 day of February A.D. 1874. In Witness whereof I have hereunto subscribed my name and official seal

Seal

F. W. Kleinschmidt
Notary Public

Montana Territory,
Executive Department,
Virginia City, April 18. 1874.

It has been made to appear to the undersigned that one James Gash, charged with the Crime of Assault with intent to Commit murder on the 17th day of November A.D. 1873 in the County of Missoula in this Territory, has departed the Territory or secreted himself, so that he cannot be arrested; and it also appears from the Statement of the District Attorney of the 2d Judicial District, that said Gash can be convicted of said Crime if arrested and brought to trial. Therefore, I B. F. Potts Governor of the Territory aforesaid, do offer a Reward of Five hundred Dollars, for the arrest of said Gash and his delivery to the Sheriff of Missoula County, Montana Territory.

B. F. Potts
Governor

Montana Territory
Executive Department
Virginia City Feby. 20th 1874.

By virtue of the authority vested in me by law, as Governor of said Territory, I hereby appoint and commission F. H. English, of Madison County, Warden of the Montana Penitentiary, to serve as such officer, until the first Tuesday of January A.D. 1876. Subject to the advice and Consent of the Legislative Council at its next Session.

B. F. Potts
Governor

See page 229.

Montana Territory
Executive Department
Virginia City April 30. 1874

The Resignation of Hon. Rufus E. Crick Member of the Council, from the Third Council District, was this day received and accepted.

B. F. Potts
Governor

The Territory of Montana. S.S.
To W. H. Sutherlin
Sheriff of Meagher County
Montana Territory
Greeting:

On the first day of May, 1874, You are directed to remove one John A. Steiner, a resident of Meagher County in said Territory and adjudged to be insane, from the said County to the Saint John's Hospital, in Helena, Montana and deliver the said Steiner into the Care and Custody of Sister Loretta, as Lady Superior in Charge of said Hospital.

You will take from Sister Loretta a Receipt in duplicate, for the delivery of said insane person, You will also make a true return of the execution of this Writ to this Department, with Your action in the premises on or before the 10th day of May A.D. 1874. The Costs to be paid by Meagher County.

Witness my hand and the Great Seal of the Territory aforesaid, this the 21st day of May, A.D. 1874.

Done at Virginia City the Capital of said Territory

B.F. Potts
Governor

Office of the Sheriff
of
The County of Meagher M.T.

I hereby Certify and Return that I received and executed the annexed Warrant, by delivering the said John A. Steiner to the custody of Sister Loretta, at St. John's Hospital, in Helena, Montana Territory. That I received from Sister Loretta a receipt, in duplicate, for the delivery thereof, which said receipt is hereto annexed

Dated this May 14. 1874.

W. H. Sutherlin
Sheriff of Meagher County M.T.

Receipt of Sister Loretta, annexed dated May 1. 1874.

Montana Territory
Executive Department
Virginia City, April 25th 1874

Satisfactory proof having been made by the affidavit of Dr. J. S. Glick that one John Owen a resident of Lewis and Clarke County is insane and indigent, a Warrant was this day issued for his delivery to Sister Loretta at St John's Hospital Helena Montana; the Warrant to be returned to this Department on or before May 12th 1874.

B. F. Potts
Governor

Montana Territory
Executive Department
Virginia City April 25th 1874

Satisfactory proof having been made by the affidavit of Dr. J. S. Glick " " " " " " " that — Murphy Jackson Green Mrs Howe Victor Rothstein, George Thompson and S. Carr, residents of Lewis and Clarke County are insane and indigent, a Warrant was this day issued for their delivery to Sister Loretta, at St John's Hospital Helena Montana; the Warrant to be returned to this Department on or before May 12. 1874.

B. F. Potts
Governor

Lewis and Clarke County
Helena Montana May 1. 1874

I John N. Veldt Clerk of the County aforesaid do hereby certify that I did this day turn over to said Sister Loretta all said named insane persons as named in said Warrants and have taken receipts for the same.

(Seal.)

Jno N. Veldt
County Clerk

The above named Victor Rothstein died May 1. 1874 before delivery to Sister Loretta.

Montana Territory
Executive Department
Virginia City May 11. 1874

Satisfactory proof having been made by the affidavit of Dr. Emil Jeneke, that one Geo. E. Ridinger, a resident of Missoula County is insane and indigent, a Warrant was this day issued for his delivery to Sister Loretta, at St. John's Hospital Helena Montana, the Warrant to be returned to this Department, on or before June 1. 1874.

B. F. Potts
Governor

Territory of Montana
County of Missoula } I hereby certify and show that I received and executed the annexed Warrant, by delivering the said Geo. E. Ridinger to the custody of Sister Loretta at St Johns Hospital, at Helena Montana Territory

That I received from Sister Loretta a receipt in duplicate for the delivery, which said receipt is herein annexed Dated May 19 1874

Hugh O'Neil
Official officer by appointment of the Co Com. of Missoula Co. Mont.

Receipt of Sister Loretta annexed dated May 21st 1874.

Montana Territory
Executive Department
Virginia City Mar 11. 1871.

Satisfactory proof having been made by the affidavit of Dr J. S. Glick, that one David Longwell a resident of Jefferson County Montana, is insane and indigent, a Warrant was this day issued for his delivery to Sister Loretta, at St John's Hospital Helena Montana, the Warrant to be returned to this Department on or before June 1. 1874.

B. F. Potts
Governor

Territory of Montana }
County of Jefferson } I, Leon Hitchcock Clerk of the County aforesaid do hereby certify, that I did on the 20th day of May 1874 deliver to Sister Loretta Lady Superior of St. Johns Hospital at Helena, Montana in accordance with said Warrant and first said month duly authorized to receive

Dated May 20. 1874

Leon Hitchcock, Co. Clerk.

Receipt of Sister Loretta annexed dated May 20. 1874

Montana Territory,
Executive Department
Virginia City, May 15. 1874

Satisfactory proof having been made by the affidavit of Dr. G. W. Monroe, that one Daniel Rowe a resident of Gallatin County is insane and indigent, a Warrant was this day issued for his delivery to Sister Loretta at St Johns Hospital, Helena Montana; the Warrant to be returned to this Department, on or before May 25. 1874.

B. F. Potts
Governor

Return the within Warrant executed, by taking the within named Daniel Rowe and delivering him into the Custody and Care of Sister Loretta, as Lady Superior in Charge of the St Johns Hospital at Helena Montana, on the 16th day of May 1874.
Witness my hand.
(signed) W. H. Smith

Montana Territory
Executive Department
Virginia City February 28. 1874

In the matter of the Pardon of Henry Hall

Henry Hall was convicted on the 12th day of February AD 1874 in the Probate Court of the County of Madison Montana Territory of the Crime of drawing and exhibiting a deadly weapon and sentenced to pay a fine of $50 and Costs and committed to the Jail of said County until the same were paid. Pardoned and fine remitted February 28. 1874 on the recommendation of Hon A. D. Johnson Probate Judge and J. J. Farrell Sheriff and A. V. Cory County Clerk, that the County might be saved further expense and that said Hall had received adequate punishment

B. F. Potts
Governor

Montana Territory
Executive Department
Virginia City, May 16. 1874

Satisfactory proof having been made by the affidavit of J. C. Smith M.D. that one Robert M. Lane, a resident of Beaverhead County is insane and indigent a Warrant was this day issued for his delivery to Sister Loretta at St Johns Hospital, Helena Montana; the Warrant to be returned to this Department, on or before the 1st day of June, A.D. 1874.

B. F. Potts
Governor

I hereby certify that I received the annexed Warrant on the twenty third day of May A.D. 1874 & took charge of the within named Robert M. Lane, on same day delivered him over to Sister Loretta Foley in Charge of St Johns Hospital at Helena, on the 24th day of May A.D. 1874 taking her receipt for the same.

Dated this 1st day of June A.D. 1874.
at Bannack City (M.T.)

J. C. Mullen
Sheriff of B.C. (M.T.)

In the Matter of the pardon of William Butler.

William Butler was convicted of the Crime of Grand Larceny at the March Term 1871 of the District Court in and for Lewis and Clarke County, and sentenced March 22. 1874 to Confinement in the Penitentiary, for the period of three years and six Months.

A pardon restoring him to all his civil rights is hereby issued to said William Butler upon the recommendation of F. H. English, Warden of the Penitentiary, because of uniform good Conduct while in prison.

Done at Virginia City May 23d, 1874.

B. F. Potts
Governor

Territory of Montana,
Executive Department,
Virginia City, May 29. 1874.

To the Sheriff of Lewis and Clarke County,
Greeting:

The resignation of Hon Rufus E. Trick, a Member of the Council from the third Council District, having been accepted by this Department, an Election to fill the vacancy is hereby ordered in pursuance of law, to be held on the first Monday of August A.D. 1874.

The term of the person elected to fill the vacancy will Expire on the first Monday of August A.D. 1875.

Witness my hand and the Great Seal of the Territory
Dated at Virginia City, the Capital, May 28. 1874

B.F. Potts
Governor.

Territory of Montana
Executive Department,
Virginia City May 27. 1874

Satisfactory proof having been made by the affidavit of J.P. Flick M.D. that one Mary Kelly a Resident of Lewis and Clarke County is insane and indigent, a Warrant was this day issued for her delivery to Sister Loretta, at St Johns' Hospital, Helena Montana; the Warrant to be returned before June 10th 1874.

B.F. Potts
Governor

Helena M.T. June 10 1874
Mary Kelly named in the above Warrant having left the Territory and her whereabouts not known to the undersigned when said Warrant without action in the premises

Jno. J. McCall
County Clerk.

Montana Territory,
Executive Department,
Virginia City, June 16. 1874

Satisfactory proof having been made by the Affidavit of J. S. Glick M.D. that one Ole Hansen, a resident of the County of Lewis and Clarke is insane and indigent, a Warrant was this day issued for his delivery to Sister Loretta of St. John's Hospital, Helena, Montana, the Warrant to be returned to this Department, on or before June 25. 1874

B. F. Potts
Governor.

Territory of Montana }
County of Lewis & Clarke } ss

I hereby certify that I have this day transferred Ole Hansen, named in the hereto attached Warrant, to Sister Loretta, Lady Superior of the Insane Department of St. John's Hospital, in Helena, M.T. and have otherwise fully complied with the instructions contained in said Warrant.

Seal

Witness my Hand and the Seal of the County aforesaid, at Helena, the day and year first above written.

M. N. Feldt
County Clerk.

Montana Territory
Executive Department.
Virginia City, June 24. 1874.

Satisfactory proof having been made by the Affidavit of G. W. Monroe M.D. that one Abraham Gorge a resident of the County of Gallatin is insane and indigent, a Warrant was this day issued for his delivery to Sister Loretta of St. John's Hospital, Helena Montana; the Warrant to be returned to this Department, on or before July 6. A.D. 1874.

B. F. Potts.
Governor

I, E. L. Clark, Sheriff in and for Gallatin County Montana, return the within Writ executed, by taking the within named Abraham Gorge and delivering him into the care and Custody of Sister Loretta, as Lady Superior in Charge of the St. John's Hospital in Helena Montana, on the 29th day of June, A.D. 1874.

E. L. Clark

Pt of Sister Loretta enclosed

Telegram

Deer Lodge, June 20. 1874

Hon B. F. Potts Va. City Mont

On July fifth, Eighteen Seventy three, John Collins now in Penitentiary, and Daniel Haffey, at large, hung a Chinaman on Silver Bow Creek. From the Evidence, we believe Haffey can be Convicted of Murder. The Circumstances demand that he should be brought to justice and Your Excellency would be warranted in offering a Reward of Not less than four hundred Dollars for his arrest and Capture.

(Signed) Hiram Knowles
J. C. Robinson
Ex Dist Atty

Telegram

Deer Lodge June 20. 1874

Gov B. F. Potts, Virginia City Mont.

Had forwarded by telegraph Certificate of Judge and Dist. Atty in Haffey Case. Will You offer a Reward and how much Answer at my Expense.

Chas. S. Warren
Sheriff

Telegram.

Virginia City June 20. 1874

Chas. S. Warren
Sheriff
Deer Lodge City.

Will offer Reward of four hundred dollars, for arrest and Conviction of Haffey. Send copies of indictment and Certificate of Judge and Dist. Atty. and affidavit that Haffey has absconded or escaped the Territory

B. F. Potts
Governor

Montana Territory
Executive Department
Virginia City June 20. 1874

The certificate of Judge Hiram Knowles
Dist Atty [illegible]

PROCLAMATION.

IN THE FIELD, MISSOULA, July 26, 1877.

WHEREAS, Montana Territory is invaded by hostile Indians from Idaho, and there being less than fifty U. S soldiers to oppose said Indians,

By virtue of the authority vested in me as Governor and commander in chief of the Montana Militia, I command that the organized volunteer militia of Missoula and Deer Lodge counties, report forthwith to the commander-in-chief at Missoula for temporary duty with the United States forces now serving against the Indians in Western Montana. Said companies will be armed and equipped for service in the field. The undersigned is without authority to bind the United States or the Territory of Montana for supplies furnished volunteer companies while serving in the field, but will use every effort in his power to secure payment for supplies &c., from the Territory or the United States. Officers will be designated to receive and receipt for supplies furnished.

Witness my hand,

B. F. POTTS,

Governor & Commander-in-Chief, Montana Militia.

JAS H MILLS,

Sect'y and Adjt Gen'l.

Warren, Sheriff of Deer Lodge County) M.T. that one Daniel Staffey indicted for the Crime of Murder in the first degree has escaped from the Territory and that if apprehended and returned he can be convicted of said Crime.

Therefore in pursuance of law offer a reward of Four hundred Dollars for the apprehension, return and conviction of said Staffey.

B.F. Potts

Governor

In the Matter of the Pardon of Charles Love

Charles Love was convicted at the December term of the District Court in and for Deer Lodge County, Montana Territory of the Crime of Grand Larceny and Sentenced to imprisonment in the Penitentiary for the period of two years. 1872

A pardon restoring him to all his civil rights is hereby issued to said Charles Love, upon the recommendation of Hon. Wm H. Clagett, Judge Hiram Knowles and thirty other good Citizens of Deer Lodge County and because of good behavior while in prison.

June 27. 1874

B.F. Potts

Governor

Telegram, received July 11. 1874.

Bozeman Montana July 11. 1874

Gov. B. F. Potts

Virginia City M.T.

Indian troubles increasing on Yellowstone. Courier just in with petition. If possible come over by next Coach.

James Wright agt Crow Indians
Nelson Story, J.K. Bogert
L.S. Wilson and others.

Reply - Telegram.

Virginia City July 11. 1874.

James Wright and others, Bozeman

Will leave Monday

Morning. Will come sooner if troubles multiply. Custar left Lincoln July 2d for Black Hills. Sitting Bull is said to be in his front with all the Sioux he can muster. I cannot think there is a large force on the Yellowstone.

B.F. Potts
Governor

Oath of office.

I Benjamin F. Potts, do solemnly swear that I have not borne arms against the United States since I have been a Citizen thereof; that I have voluntarily given no aid, countenance, counsel or encouragement to persons in armed hostility thereto; that I have neither sought nor accepted nor attempted to exercise the functions of any office whatever under any authority or pretended authority in hostility to the United States; that I have not yielded a voluntary support to any pretended government, authority, power, or constitution within the United States, hostile or inimical thereto.

And I do further swear that to the best of my knowledge and ability, I will support and defend the Constitution of the United States against all enemies foreign and domestic and that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

B.F. Potts
Governor

Sworn to and subscribed before me, this 29th day of July, A.D. 1874.

Decius S. Wade
Chief Justice of Montana.

Montana Territory
Executive Department
Virginia City August 1. 1874.

Issued Certificate to the Territorial Auditor for a Warrant to Hannah Mundell, for Fifty Dollars, as Keeper of the Smith-

From January 1. 1874 to July 1. 1874
B.F. Potts
Governor

Montana Territory
Executive Department
Virginia City August 20. 1874

Satisfactory proof having been made by the affidavit of George W. Munroe M.D. that one Floyd Keating, a resident of Gallatin County, is insane and indigent, a Warrant was this day issued for his delivery to Sister Loretta, at St. John's Hospital at Helena Montana; the Warrant to be returned to this Department on or before 1874

B.F. Potts
Governor

I Certify and return that by virtue of the within Writ I did on the 25th day of August 1874 deliver the within named Floyd Keating, (insane person) to the Asylum in Helena.
Witness my hand, this the 27th day of August 1874
C.L. Clark, Sheriff
of Gallatin County, Montana Territory

Receipt of Sister Loretta, dated August 25. 1874.

Montana Territory
Executive Department.
Virginia City July 30th 1874

John Collins and Elisha Everett, convicts Confined in the Penitentiary at Deer Lodge, Montana, having this day Escaped therefrom; In pursuance of law I offer a reward of One thousand Dollars, for their apprehension and return to said Penitentiary;

B.F. Potts
Governor

In the Matter of the
Pardon of James Brooks

James Brooks was convicted at the December Term of the District Court in and for Deer Lodge County, Montana Territory of the Crime of Grand Larceny and sentenced to imprisonment in the Penitentiary for the period of Two Years.

A pardon restoring him to all his Civil rights is hereby issued to said James Brooks, because of good behavior while in prison.

Done at Virginia City Montana this 29th day of July A.D. 1874.

B. F. Potts
Governor

In the Matter of the pardon of
William Whiting.

William Whiting was convicted of the Crime of Grand Larceny, at the June Term of the District Court 1872 in and for Lewis and Clark County and Sentenced to Confinement in the Penitentiary for the period of Seven Years.

A pardon restoring him to all his Civil rights is hereby granted upon the Condition Signed by him and attached hereto and he will be released from confinement on August 31. A.D. 1874.

His pardon is Granted because of his uniform good Conduct while in prison, and the Evidence he has given of a Complete Reformation.

Given under my hand and the Great Seal of the Territory, this 27th day of August A.D. 1874.

B. F. Potts
Governor

Condition of Pardon

I William Whiting voluntarily bind myself to forever abstain from the use of intoxicating liquors and from the vice of Gambling, under the penalty of being returned to the Penitentiary to serve out the remainder of my present sentence. Given under my hand and Seal, this 31st day of August A.D. 1874

Witnessed by

In the Matter of the pardon of E. C. Fallis.

E. C. Fallis was convicted of the Crime of Manslaughter at the June Term of the District Court A.D. 1873, in and for the County of Missoula Montana Territory, and Sentenced to Confinement in the Penitentiary, for the period of Six Years

A pardon restoring him to all his civil rights is hereby Granted, upon the Condition signed by him attached hereto; and he will be released from Confinement on the 31 day of August A.D. 1874

His pardon is Granted because of his uniform good Conduct while in prison and the Evidence he has Given of a Complete Reformation

Given under my hand and the Great Seal of the Territory this 27 day of August A.D. 1874

B. F. Potts

Governor

Condition of Pardon

I E. C. Fallis voluntarily bind myself to forever abstain from the use of intoxicating liquors, under the penalty of being returned to the Penitentiary to serve out the remainder of my present Sentence.

Given under my hand and Seal August 31. 1874

Witnessed by

Seal

Ordered Pardon returned and revoked

By the Same September 9th A.D. 1874

B. F. Potts Governor

Secretary's Office,
Territory of Montana
Virginia City Sept. 2. 1874

This being the day prescribed by law for the canvass of the votes polled at the General Election held in the Several Counties of said Territory, on Monday the 3. day of August A.D. 1874, the Board of Canvassers, Consisting of the Secretary of the Territory and the United States Marshal in and for the District of Montana Territory, in the presence of the Governor of said Territory, met at the Capital at the hour of 10 o'Clock A.M. of said day and proceeded to open the Election Returns and Canvass the vote with the following result.

The following is a correct Abstract of the votes polled at a General Election held in Montana Territory, on the 3d. A.D. 1874 [illegible] 4th Congress

of the United States from said Territory as returned to the Secretary of the Territory aforesaid and opened and Canvassed by James E. Callaway, Secretary of the Territory of Montana aforesaid and William F. Wheeler United States Marshal for the District of Montana aforesaid in the presence of Benjamin F. Potts, Governor of the Territory aforesaid, at the Capital of the Territory aforesaid, on the the Second day of September, Anno Domini Eighteen hundred and Seventy four.

Counties	Martin Maginnis	Caroline McDougal
Beaver Head	149	104
Choteau	160	30
Deer Lodge	973	699
Gallatin	Rejected for illegality of returns.	
Lewis & Clarke	938	986
Madison	734	765
Jefferson	433	285
Meagher	343	260
Missoula	414	184
	4144	3313

We hereby certify, that we, the undersigned Canvassers have on the day and at the place above named, Canvassed the Election Returns for Delegate to Congress from the Territory of Montana, for the 44th Congress and that the above Abstract is Correct. Dated at Virginia City, Montana Territory, this 2d day of September AD 1874

J. E. Callaway
Secy Terry of Montana
Wm F. Wheeler
U. S. Marshal.

Done in My presence
B. F. Potts
Governor

The following is a Correct Abstract of the votes polled at a General Election held in Montana Territory on the 3d day of August AD. 1874 on the Question of the Approval or disapproval of the Capital Law, in pursuance of An Act, Entitled An Act to Change the Seat of Gov

Montana passed by the 8th Legislative Assembly of the Territory of Montana, approved February 11th 1874 as returned by the Secretary of the Territory aforesaid, by the Several Canvassing boards as shown by the table below, opened and canvassed by James E. Callaway, Secretary of the Territory aforesaid and William F. Wheeler, United States Marshal in and for the District of Montana aforesaid in the presence of Benjamin D. Potts, Governor of the Territory aforesaid at the capital of the Territory aforesaid, on this the Second day of September, Anno Domini, Eighteen hundred and Seventy four

Counties	Capital Law Approved	Capital Law Disapproved
Beaver Head	13	235
Choteau	191	
Deer Lodge	532	1123
Gallatin	Rejected for illegality of Return	
Jefferson	572	203
Lewis & Clarke	1936	28
Madison	70	1436
Meagher	29	561
Missoula	367	216
	3650	3802

We hereby certify that we, the undersigned Canvassers, have on the day and at the place above (last) named, canvassed the Election Returns cast at the General Election held in said Territory on the Third day of August A.D. 1874, on the Question of the Approval or Disapproval of the Capital Law in pursuance of an Act, Entitled an Act, to Change the Seat of Government of the Territory of Montana passed by the 8th Legislative Assembly of the Territory of Montana, approved February 11th 1874. And that the above Abstract is correct.

Dated at Virginia City, Montana Territory, this 2d day of September A.D. 1874.

J. E. Callaway
Secy. Ter. of Montana

A Certificate of Wm. F. Wheeler below, which I would have made here, but from

Wm. F. Wheeler
U. S. Marshal

Done in the presence of B. F. Potts
Governor

I certify that the above is a correct canvass of the Returns made by the General County Clerks of Montana Territory, but do protest against the Returns received from the County of Meagher because from my own knowledge and belief the Clerk of said County, by an error, transposed the figures so as to make it appear that Capital Law disapproved, received Five hundred and sixty one votes while Capital Law approved received Twenty nine votes; Whereas, the correct Return should have been and is as the poll books of Meagher County will show on inspection, that Capital approved received Five hundred and sixty one votes while Capital disapproved received Twenty nine votes.

Wm. D. Wheeler
United States Marshal,
in and for the District of
Montana Territory

In the name and by the authority of the Territory of Montana.

Proclamation

Whereas, it appears from the record of the action of the Territorial Board of Canvassers, that at a General Election held in the Territory of Montana, on Monday, August 3d A.D. 1874; in pursuance of law, Martin Maginnis received the highest number of votes cast for Delegate to the Forty-fourth Congress of the United States from said Territory;

Now Therefore, I, Benjamin F. Potts Governor of the Territory of Montana, by virtue of the authority vested in me by law, do hereby declare that Martin Maginnis was on Monday, August 3d A.D. 1874, duly Elected Delegate to the Forty-fourth Congress of the United States, from Montana Territory, for the period of two years from March 4th A.D. 1875.

In Testimony whereof I have hereunto set my hand

the Great Seal of the Territory to be affixed.

Done at Virginia City, the Capital, this the Second day of September Anno Domini 1874

Seal

B.F. Potts
Governor

By the Governor

Secretary

Montana Territory,
Executive Department
Virginia City Sept. 3 1874

To the Sheriff of Silver County:

Whereas a Requisition has been made upon me by the Governor of the State of Minnesota, for the Extradition and Surrender of Patrick Stack,

Convicted of the Crime of Murder, committed in said State of Minnesota;

Therefore by virtue of the Constitution and Laws of the United States and the Laws of the Territory of Montana, to deliver said Patrick Stack to J. A. Kanouse, or such person as he may depute, in order that he may be conveyed to the said State of Minnesota, to be dealt with according to law; and of this Warrant with your proceedings thereon, make due return to this Office.

B.F. Potts
Governor

Attest
Jas. E. Callaway
Secretary

Endorsed: Served the within Warrant by arresting and delivering forthwith the within named Patrick Stack unto J. A. Kanouse, Agent for the State of Minnesota, and Carry him to the Penitentiary Geo. Hoard, Sheriff of Silver County

Return: Filed 12th day of September 1874 in the Office of the Secretary of Montana Territory

The United States of America
Montana Territory } ss.

I Benjamin F. Potts, Governor of Montana Territory, do hereby certify that at a general Election held in said Territory on the first Tuesday (being the third) in August Anno Domini

1874, in pursuance of law Martin Maginnis was legally elected Delegate to represent said Territory in the Forty-fourth Congress of the United States, he having received the highest number of votes cast at said Election for said office.

In Testimony whereof I have hereunto set my hand and caused the Great Seal of the Territory of Montana to be affixed. Done at Virginia City, the Capital of said Territory this fourth day of September Anno Domini, One thousand Eight hundred and Seventy four. (1874.)

(Seal)

B. F. Potts
Governor

In the Matter of the Pardon of George M Rand

George M Rand was convicted of the Crime of Manslaughter at the March Term 1871 of the District Court of Lewis and Clarke County and sentenced to Confinement in the Penitentiary for the period of Ten years.

A pardon is hereby granted to said Rand without a restoration to his Civil rights and due at his release from Confinement upon his signing and strictly observing the Conditions of his pardon. The Condition is hereto attached.

Given under my hand and the Great Seal of the Territory this Fourth day of September A. D. 1874.

(Seal)

B. F. Potts
Governor

Conditions.

I, George M Rand, a Convict in the Montana Penitentiary do solemnly promise, that upon Condition that I am released from Confinement in said Penitentiary, I will never use any kind of intoxicating liquor as a beverage; and I also promise and bind myself to leave the limits of said Territory by the first Mail Stage for Corinne Utah, and will never return to the limits of the said Territory, under penalty of being arrested and returned to the Penitentiary to serve out the remainder of my sentence.

Geo. M Rand

Signed in presence of
E. L. Bonner
A. Hittitchell
F. H. English

In the Matter of the
Pardon of Lachlin Frazier

Lachlin Frazier was convicted at the June Term 1874 of the District Court in and for Lewis and Clarke County, of Escaping from jail and sentenced to one year imprisonment in the Penitentiary.

A pardon is hereby granted, because confinement is rapidly developing insanity and his health failing and also on the recommendation of the Physician and Warden of of the Penitentiary.

Seal

Given under my hand and the Great Seal of the Territory this 10th day of September A.D. 1874.

B.F. Potts
Governor

In the Matter of the
Remission of the fine
imposed on Mrs M.R. Butler

Mrs M.R. Butler was convicted in the Probate Court in and for Gallatin County, on September 8. 1874 of the Crime of Exhibiting a pistol in a rude, angry and threatening manner, and was sentenced to pay a fine of Fifty dollars.

A pardon is hereby granted and said fine remitted, upon the recommendation of the District Attorney, R.P. Vernon Esq., the entire jury, C.L. Clark Esq. Sheriff and 29 other good citizens of said Gallatin County.

Seal

Given under my hand and the Great Seal of the Territory of Montana, this 17th day of Septr. A.D. 1874

B.F. Potts
Governor

Montana Territory
Executive Department.
Virginia City October 3. 1874

It is hereby Certified that Harrison Mundell is Entitled to a Warrant on the Territorial Treasury for the sum of Fifty Dollars, for Services as Keeper of the Territorial Arsenal at Virginia City for the Quarter ending September 30. 1874

B.F. Potts

Montana Territory
Executive Department
Virginia City September 9. 1874

Satisfactory evidence having been made by the affidavit by Dr. C. S. Ellis, that one Etta Jordan, a resident of Jefferson County Montana, is insane and indigent, a Warrant was this day issued for her delivery to Sister Loretta at St. John's Hospital, Helena Montana; the Warrant to be returned to this Department on or before September 21 1874.

B. F. Potts
Governor

This Warrant came into my hands Septr. 10. 1874. According to instructions herein mentioned, same day received Etta Jordan and on the 11th day of September 1874, placed her in Sister Superior's charge in St. John's Hospital Helena, Montana.
Witness my hand this 18th day of Septr 1874.
H. Jordan

Receipt of Sister Loretta annexed, dated September 11th 1874.

In the name and by the authority of the Territory of Montana.

His Excellency, the President of the United States, having designated Thursday, November 26th A.D. 1874, as a day of public Thanksgiving throughout the United States.

Therefore, I Benjamin F. Potts, Governor of the Territory of Montana, do request and recommend that the people of this Territory observe said day as a day of public Thanksgiving and prayer to the All Wise Ruler of the Universe for the blessings and mercies He has bestowed upon us.

(Seal.) In Witness whereof, I have hereunto set my hand and caused the Great Seal of the Territory to be affixed, at Virginia City, the Capital of said Territory, this the Second day of November A.D. 1874 and of the Independence of the United States of America, the Ninety Ninth.

B. F. Potts

By the Governor
Jas. E. Callaway
Secretary

Montana Territory
Executive Department,
Virginia City Nov. 20. 1874

The resignation of Moses Moore Esq. one of the Directors of the Montana Penitentiary is accepted.

B. F. Potts
Governor

Montana Territory,
Executive Department,
Virginia City November 24th 1874.

Satisfactory evidence having been made by the affidavit of Dr. E. O. Yager, that one Oscar Ostrom, a resident of Madison County, Montana Territory is insane and indigent, a Warrant was this day issued for his delivery to Sister Loretta at St. Johns Hospital, Helena Montana; the Warrant to be returned to this Department, on or before December 10th A.D. 1874

B. F. Potts
Governor

Received this Writ Nov. 24. 1874 and took the insane person within named in charge; and at once proceeded with said insane person and delivered him to the St. Johns Hospital on the 28th day of Nov. 1874 as evidenced by the receipt of Sister Loretta, a copy of which is attached.
Dec. 5. 1874.

(Signed) H. R. Royce.

Receipt of Sister Loretta annexed dated Nov. 28. 1874

Montana Territory
Executive Department
Virginia City Dec. 1. 1874

By virtue of the authority vested in me by law as Governor of said Territory, I hereby appoint and commission Solomon Star Esq. of Lewis and Clarke County, Territorial Auditor, for the period of two years from this date; subject to the advice and consent of the Legislative Council at its next session; Vice Dr George Callaway resigned.

In testimony whereof, I have hereunto set my hand and caused the Great Seal of the Territory to be affixed at Virginia City Montana, the day and year above named.

Seal.

B. F. Potts
Governor

Montana Territory
Executive Department
Virginia City December 29. 1874

Satisfactory Evidence having been made by the affidavit of N. N. Mitchell M.D., that one Philip Kef a resident of Deer Lodge County, Montana Territory is insane and indigent a Warrant was this day issued for his delivery to Sister Loretta at St. John's Hospital, Helena Montana: the Warrant to be returned to this Department on or before January 10. 1875

J. E. Callaway
Secretary and Acting Governor

I do hereby certify that I received this Warrant on the 11th day of January 1875 and in obedience to the same I delivered the within named Philip Kef, insane, to Sister Loretta in charge of the Insane Department of St Johns Hospital at Helena, Montana.

Charles S. Warren
Sheriff of Deer Lodge Co. M.T.
by Thomas Tod Hunter
Deputy Sheriff

Receipt of Sister Loretta annexed dated

Montana Territory
Executive Department
Virginia City January 2. 1875

Satisfactory evidence having been made by the affidavit of William Carberry M.D. that one Richard E. Marks a resident of Meagher County, Montana Territory is insane and indigent, a Warrant was this day issued for his delivery to Sister Loretta, at St John's Hospital Helena, Montana; the Warrant to be returned to this Department on or before January 15. 1875.

J. E. Callaway
Secretary and Acting Governor

Sheriff's Office, Diamond City M.T.
I hereby certify that I received the annexed Warrant on the 6th day of January A.D. 1875 and personally served the same on the 8th day of January 1875 by delivering the within named Richard E. Marks to the Custody of Sister Loretta at St John's Hospital at Helena M.T.
Dated January 9. 1875.

T. J. Fleming
Sheriff

Executive Department
Virginia City Montana
January 13th 1875

Whereas, in pursuance of an Act, intitled An Act to Change the Seat of Government of the Territory of Montana, passed by the 8th Legislative Assembly of the Territory of Montana and approved Feby 11th A.D. 1874, the Question of approval or disapproval of said Act, denominated in said Act as the Capital Law, was duly submitted to the Qualified Voters of said Territory at the General Election held in said Territory on the 3rd day of August A.D. 1874; And Whereas, a canvass was made in pursuance of said act by James E. Callaway, Secretary of said Territory and William F. Wheeler, U.S. Marshal in and for the District of Montana Territory, in the presence of B. F. Potts, Governor of said Territory, on the 2nd day of September A.D. 1874, the said Officers acting as a Board of Canvassers to canvass the returns of the Election returned at said Election

upon the Question of the approval or disapproval of said Capital Law as received, and thereon file in the office of the Secretary of said Territory, by which Canvass it was the result thereof, that said Capital Law had been disapproved; And Whereas in a proceeding had at the January term A.D. 1875, of the Supreme Court of said Territory it has been held and adjudicated and determined by the said Court, that the said Board of Canvassers at the said canvass on the said 2d day of September A.D. 1874 did not have before them the Correct and Genuine abstract of votes of said Election from the County of Meagher in said Territory; And Whereas by order and in pursuance of the findings and adjudications of said Court a correct and Genuine abstract of the Votes Cast at said Election on the Question of the Approval or disapproval of said Capital Law has this day been filed in the Office of said Secretary of said Territory; And Whereas, in order to correct the said Canvass made as aforesaid, the said Secretary & Marshal aforesaid, did in the presence of the Acting Governor of said Territory on the 13th day of January A.D. 1875 at the City of Virginia and Territory of Montana, meet and proceed to make another canvass of the Election returns of said Election, taking as a basis of said Canvass the same abstract and returns from the several Counties, canvassed as aforesaid on the 2d day of September A.D. 1874, except as the County of Meagher, the Abstract found and adjudged by said Court to be the Correct and genuine abstract was received and counted by said Board of Canvassers in said second Canvass, as the Correct and genuine abstract from said County, with the following result:

Counties	Capital Law Approved	Capital Law Disapproved
Beaver Head	13	235
Choteau	191	
Deer Lodge	532	1123
Jefferson	572	203
Lewis and Clark	1936	28
Madison	70	1436
Meagher	561	29
Missoula	367	16
Gallatin	96	351
	4278	3821

We hereby certify that we the undersigned, have on this the 13th day of January A.D. 1875, at the hour of 11 O'Clock A.M., and at the place above named

Canvassed the Election Returns Cast at the General Election held in said Territory on the third day of August A.D. 1874, on the Question of the approval or disapproval of the Capital law, in pursuance of an Act Entitled an Act to change the Seat of Government of the Territory of Montana, passed by the 8th Legislative Assembly of the Territory of Montana, approved February 11th 1874 and that the above Abstract is Correct.

Dated at Virginia City Montana Territory, this thirteenth day of January A.D. 1875.

J. E. Callaway
Secretary of Montana Territory
William F. Wheeler
United States Marshal

Done in the presence of
J. E. Callaway
Acting Governor

In the name and by the authority of the Territory of Montana.

Proclamation.

Executive Department
Virginia City, M.T. Jany. 13. 1875.

Whereas, in pursuance of an Act Entitled an Act to change the Seat of the Government of the Territory of Montana, passed by the Eighth Legislative Assembly of the Territory of Montana and approved February 11. A.D. 1874, the Question of approval or disapproval of said act denominated in said Act as the "Capital Law" was duly submitted to the qualified Voters of said Territory at the General Election held in said Territory, on the 3d day of August A.D. 1874; And Whereas a Canvass was made in pursuance of said Act by the Secretary of the said Territory and the United States Marshal, in the presence of the Governor of said Territory, on the 2d Day of September A.D. 1874, the said Officers Sitting as a Board of Canvassers, to Canvass the abstract of the Election Returns of said Election from the Several organized Counties of the said Territory, upon the Question of the approval or disapproval of said Capital Law, and

Received, and then on file in the office of the Secretary of the Territory, by which Canvass it appeared as the result thereof that said Capital Law had been disapproved; And Whereas, in a proceeding had at the Jany. term A.D. 1875 of the Supreme Court of said Territory it had been held, adjudicated and determined by the said Court that the said Board of Canvassers of the said Canvass on the said 2d day of September A.D. 1874, did not have before them the Correct and Genuine Abstract of votes of said Election from the County of Meagher in said Territory; And Whereas, by order and in pursuance of the findings and adjudication of said Court a Correct and Genuine abstract of the votes cast at said Election on the Question of the Approval or disapproval of said Capital Law has this day been filed in the Office of said Secretary of said Territory; And Whereas in Order to Correct the said Canvass made as aforesaid, the said Secretary and Marshal aforesaid, did in the presence of the Acting Governor of said Territory, on the 13th day of January A.D. 1875 at the City of Virginia and Territory of Montana, meet and proceed to make another Canvass of the abstract of Election returns of said Election taking as a basis of said Canvass, the same Abstract and returns from the several Counties Canvassed as aforesaid on the 3d day of September A.D. 1874, except as to the County of Meagher, the abstract found and adjudged by said Court to be the Correct and Genuine Abstract was received and counted by said Board of Canvassers in said Second Canvass, as the Correct and Genuine abstract from said County; And Whereas, it appears from the said 2d Canvass that a greater number of votes were cast reading "Capital Law Approved" than were cast reading "Capital Law disapproved".

Now therefore I, James E. Callaway, Acting Governor of the Territory of Montana, by virtue of the power and authority in me vested by law, and in obedience to Sec. 3. of said "Capital Law," do proclaim and declare that said Capital Law has been duly approved and that the Seat of Government of the Territory of Montana, has been in due form of law removed from the City of Virginia to the Town of Helena, in said Territory.

In Testimony whereof, I have hereunto set my hand and affixed the Seal of said Territory.

(Seal)

Done at the City of Virginia in the Territory of Montana this 13th of Jany AD 1875.

J. E. Callaway
Secretary and Acting Governor

In the Matter of the Pardon of Samuel Dustin

Samuel Dustin convicted of Breaking Jail, at the June Term of the District Court (1874) in and for Lewis and Clarke County, Montana Territory, and sentenced to Confinement in the Penitentiary at Deer Lodge for the period of one Year, is pardoned and restored to all his civil rights. This pardon is granted on the recommendation of the Judge, District Attorney, District Clerk and the Jury which tried the case.

(Seal)

Given under my hand and the Great Seal of the Territory this Twenty Second day of February A.D. 1875.

B. F. Potts
Governor

Montana Territory,
Executive Department,
Virginia City December 22. 1874.

Lewis Coleman of Deer Lodge County, Montana Territory is this day appointed a Director of the Penitentiary at said Deer Lodge City, vice Moses Moore, resigned, for the unexpired term of said Moses Moore; subject to the advice and consent of the Legislative Council, at its next regular session.

J. E. Callaway
Secretary and Acting Governor

Montana Territory,
Executive Department,
Virginia City, February 14. 1875.

The resignation of John Rains Esq. as a Director of the Penitentiary at Deer Lodge City, is this day accepted.

J. E. Callaway
Secretary and Acting Governor

The Territory of Montana
Executive Department.

To His Excellency the Governor
of the State of California.

Whereas it appears by the annexed indictment, duly authenticated in accordance with the laws of this Territory, that J. H. Bohm stands charged with the crime of attempting to bribe N. Hilger, Probate Judge of Lewis and Clarke County, Montana Territory, committed in the County of Lewis and Clarke, in this Territory; and that it has been represented to me that he has fled from this Territory and taken refuge in the State of California.

Now therefore, pursuant to the provisions of the Constitution and Laws of the United States, in such cases made and provided, I do hereby request that the said J. H. Bohm be apprehended and delivered to Seth Bullock, who is hereby authorized to receive and convey him to the Territory of Montana, there to be dealt with according to law.

Given under my hand and the Great Seal of the Territory of Montana, this the Twenty Seventh day of February A.D. 1875.

B. F. Potts
Governor

By the Governor,
J. E. Callaway
Secretary of Montana.

Montana Territory
Executive Department
Virginia City March 17. 1875

Satisfactory Evidence having been made by the affidavit of Emil Henecke M.D. that one Anthony Durkin, a resident of Missoula County, Montana Territory is insane and indigent a Warrant was this day issued for his delivery to Sister Loretta, at St. John's Hospital, Helena Montana. Said Warrant to be returned on or before April 10th 1875, to this Department

B. F. Potts
Governor

Delivered to Sister Loretta at St. John's Hospital, Helena M.T. Anthony Durkin April 1st 1875. John Miller, Sheriff Missoula Co.
by A. Robinson

Receipt of Sister Loretta Enclosed

Montana Territory,
Executive Department,
Virginia City, April 14th 1875.

In the matter of the
Pardon of H. A. Clifford

H. A. Clifford, convicted at the June Term 1874 of the District Court of Lewis and Clarke County of the Crime of breaking jail, and sentenced to Confinement in the Penitentiary for the period of One Year, is pardoned for the same reason that Samuel Duston was pardoned (February 22d 1875) who was Convicted of a like Crime and at the same term of said Court.

B. F. Potts
Governor

Montana Territory
Executive Department
Virginia City, April 22. 1875.

In the matter of the
Pardon of Michael Asselin

Michael Asselin convicted at the June Term 1872 of the District Court of Lewis and Clarke County, of the Crime of Grand Larceny, and Sentenced to Confinement in the Penitentiary for the period of Seven Years, is pardoned with a restoration of all Civil rights, on the Recommendation of Hon. D. S. Wade, Hon Robt Lawrence, Hon. W. H. Clagett and 100 Citizens of Deer Lodge County; and because of the Uniform good behavior of the said Convict and evidences he has given of a reformation.

B. F. Potts
Governor

Montana Territory,
Executive Department,
Virginia City, April 26. 1875.

Satisfactory evidence having been made by the affidavit of Dr. E. D. Hager that one James Smillie, a resident of Madison County, Montana Territory, is insane and indigent, a Warrant was this day issued for his delivery to Sister Loretto, at St John's Hospital, Helena Montana; said Warrant to be returned on or before May 10. 1875, to this Department.

B. F. Potts Governor

In obedience to this Writ, I delivered James Smillie to Sister Loretto, in charge of St. John's Hospital, at Helena M.T. on the 27th day of April, A.D. 1875.

James Mitchell

Receipt of Sister Loretto enclosed dated April 27. 1875

Montana Territory,
Executive Department,
Virginia City, April 26th 1875.

Satisfactory evidence having been made by the affidavit of Dr. E. T. Yager, that one Mrs Caroline Hoen, a resident of Madison County, Montana Territory, is insane, and indigent a Warrant was this day issued for her delivery to Sister Loretto, in Charge of St Johns Hospital, Helena, Montana; said Warrant to be Returned within 20 days from the date hereof, to this department.

B.F. Potts
Governor

Receipt of Sister Loretto, dated Helena, April 28. 1875.

Ashland, Boone Co. Mo.
April 24th 1875

His Excellency Governor B. F. Potts.

Dear Sir

As neither my health nor my business arrangements, will permit my return to Montana Ter: I hereby tender my resignation as representative of Missoula County to the next Session of the Legislature.

Most Respectfully Your Obedient Servant
Thomas Bass.

Executive Department.
Montana Territory
Virginia City May 11. 1875.

The above Resignation is hereby accepted of Hon. Thomas Bass, as Representative of Missoula County; and a proclamation issued ordering the election of a successor at the General Election on the first Monday of August next.

B.F. Potts
Governor

Territory of Montana
Treasurer's Office
Virginia City M.T. May 18. 1875

To Hon B. F. Potts,
Governor of M.T.

Sir.

I hereunto tender my resignation of the office of Territorial Treasurer, said resignation to take effect on July 1. 1875; and in so doing, avail myself of the opportunity to express my thanks for the confidence and honor conferred and to assure you that during the two terms of my incumbency I have endeavored to discharge the duties of the office, to the best of my humble ability.

Renewing the assurance of my consideration
I have the honor to be Your Obedient Servant.
(Signed) R. O. Hickman.

Montana Territory,
Executive Department,
Virginia City May 19. 1875.

Dear Sir.

Your letter of this date tendering Your resignation as Territorial Treasurer, to take effect July first next, has been received. In accepting the same I desire to express my entire satisfaction with Your official action during Your incumbency of the office. In retiring from the office you have so honorably filled, you carry with you my best wishes for your future prosperity.

I am Very Respectfully
Your Obedient Servant
B. F. Potts
Governor

Hon. R. O. Hickman
Virginia City
Montana.

Territory of Montana
Executive Department
Helena June 2nd 1875

Satisfactory evidence having been presented to this Department that one Frederick Shaffer charged by indictment with the crime of Murder in the first degree has escaped from said Territory and is now in the Territory of Dacotah.

By virtue of authority vested in me by law I issued a requisition on the Governor of Dacotah Territory for the apprehension of said Shaffer and his delivery to one N. G. Daly messenger appointed.

Reward of Two hundred and fifty dollars and the expenses of the messenger will be paid out of the Territorial Treasury if said Schaffer is returned to the Territory for trial.

B. F. Potts
Governor

Montana Territory
Executive Department
Helena June 16th 1875

By virtue of authority vested in me by law as Governor of said Territory. I hereby appoint and commission D. F. Wilson Secretary of Treasury for the term of two years thereafter July 1st 1875, subject to the advice and consent of the Legislative Council at its next session.

B. F. Potts
Governor

Montana Territory
Executive Department
Helena June 19th 1895

Satisfactory evidence having been made by the affidavit of Dr. C. S. Ingersoll that one Charles McCrady a resident of Lewis and Clarke County Montana Territory is insane and indigent at Warrant was this day issued for his delivery to Sister Loretto of St Johns Hospital Helena Montana Warrant to be returned to this Department on or before June 22nd 1895

B. F. Potts
Governor

Receipt of Sister Loretto dated Helena June 19th 1895

Montana Territory
Executive Department
Helena June 19th 1895

Satisfactory evidence having been made by the affidavit of Dr. C. S. Ingersoll that one John Simmons a resident of Lewis and Clarke County M.T. is insane and indigent a Warrant was this day issued for his delivering to Sister Loretto of St Johns Hospital Helena Montana Territory Warrant to be returned to this Department on or before the 22nd day of June AD 1895

B. F. Potts
Governor

Receipt of Sister Loretto dated Helena June 19th 1895

Montana Territory
Executive Department
Helena June 19th 1895

Satisfactory evidence having been made by the affidavit of Dr. C. S. Stuck that one Roosevelt Stanley a resident of Lewis and Clarke County M.T. is insane and indigent, a Warrant was this day issued for his delivery to Sister Loretto of St Johns Hospital at Helena M.T. Warrant to be returned to this Department on or before the 22nd day of June AD 1895

B. F. Potts
Governor

Receipt of Sister Loretto dated Helena June 19th 1895

Montana Territory
Executive Department
Helena June 24th 1875

Satisfactory evidence having been made by the affidavit of Dr. W. L. Steele that one John Hennessey a resident of Lewis and Clarke County M. T. is insane and indigent a Warrant was this day issued for his delivery to Sister Loretto of St Johns Hospital Helena M.T.
Warrant to be returned to this Department on or before the 23d day of June AD 1875

B. F. Potts
Governor

Receipt of Sister Loretto dated Helena June 24 1875

Montana Territory
Executive Department
Helena June 24th 1875

Satisfactory evidence having been made by the affidavit of Dr. C. F. Musigbrod that one Arthur Hal one Arthur Lethay a resident of Deer Lodge County Mont Ter is insane and indigent a Warrant was this day issued for his delivery to Sister Loretto of St Johns Hospital Helena M.T.
Warrant to be returned to this Department on or before the 25th day of June A D 1875

B. F. Potts
Governor

Receipt of Sister Loretto dated Helena June 24 1875

Montana Territory
Executive Department
Helena June 25th 1875

By virtue of authority vested in me by law as Governor of said Territory, I hereby appoint and commission James M. Fisk Warden of the Montana Penitentiary to serve from June 1st 1875 until the first Monday of February A.D. 1876, vice B. L. Eighmy resigned
Subject to the advice and consent of the Legislative Council at its next session. N.B. appointment is made upon condition that said Fisk is to receive the sum of Forty dollars per month in full satisfaction for his services as said Warden

B. F. Potts
Governor

Montana Territory
Executive Department
Helena June 29th 1895

Stephen Edmunds of Madison County is hereby appointed Keeper of the Territorial Prison at Virginia City for the term of two years from the 1st of July 1895

B. F. Potts
Governor

Montana Territory
Executive Department
Helena July 7th 1895

Satisfactory evidence having been made by the affidavit of Dr. Wm Fairbrey and others that one L. J. Bellington a resident of Weyland County Mont. Ter is insane and indigent and Warrant was this day issued for his delivery to Sister Loretto of St Johns Hospital Helena Mont. Ter.

Warrant to be returned to this Department on or before July 8th A.D. 1895

B. F. Potts
Governor

Receipt of Sister Loretto dated Helena July 7th 1895

Montana Territory
Executive Department
Helena July 19th 1895

Satisfactory evidence having been made by the affidavit of Dr. J. A. Glick that and Mr. R. Sparks a resident of Choteau County Mont. Ter. is insane, a Warrant was this day issued for his delivery to Sister Loretto of St Johns Hospital Helena Mont. Warrant to be returned to this Department on or before July 20. 1895

B. F. Potts
Governor

Receipt of Sister Loretto dated Helena July 19th 1895

Montana Territory
Executive Department
Helena July 28 1895

Satisfactory evidence having been made by the affidavit of N. B. Barkley that one U. G. Palmburg of Jefferson County M. T. is insane and indigent, a Warrant was this day issued for his delivery to Sister Loretto of St Johns Hospital Helena M. T.

Warrant to be returned to this Department on or before July 29 1895

B. F. Potts
Governor

Receipt of Sister Loretta dated Helena July 28 1895

Montana Territory
Executive Department
Helena July 29 1895

Satisfactory evidence having been made by the affidavit of Dr. E. A. Yager that one Lafayette Merrill is insane and indigent, a Warrant was this day issued for his delivery to Sister Loretta of St Johns Hospital Helena M. T.

Warrant to be returned on or before July 29 1895

B. F. Potts
Governor

Receipt of Sister Loretto dated Helena July 29 1895

Montana Territory
Executive Department
Helena July 31st 1895

Satisfactory evidence having been made by the affidavit of Dr E. A. Yager that one W. H. Gilbert is insane and indigent, a Warrant was this day issued to deliver him to Sister Loretto St Johns Hospital Helena M. T.

Warrant to be returned to this Department on or before July 31st 1895

B. F. Potts
Governor

Receipt of Sister Loretto dated Helena July 31 1895

Executive Department
Montana Territory
Helena August 7th 1895

In the Matter of the Application of Wm W. Wheatly for conditional Pardon

The application of W W Wheatly for conditional pardon and the protest of the District Attorney against said application, have been carefully examined. And I am of the opinion that the application does not contain facts sufficient, to warrant, the granting of the request therein contained

The application is therefore denied

B.F. Potts
Governor.

Executive Department
Montana Territory
Helena August 9th 1895

Wm Whiting who was convicted at the June Term 1892 of the District Court in and for Lewis & Clarke County, Montana of the crime of Grand Larceny and sentenced to imprisonment in the Penitentiary for the period of seven years, was pardoned August 31st 1894, upon the condition "that he would forever abstain from the use of intoxicating liquors and from the vice of gambling"

It having been made to appear to me by the affidavit of E H. Bartlett, Thomas J Farrell and Jacob B Lorman that said Whiting did at divers times in Virginia City, during the month of Aug 1895 play for money, at a game commonly called Faro and Keno as a gambling game, the pardon heretofore granted said Wm Whiting is hereby revoked and a warrant is hereby issued to Thomas J Farrell Sheriff of Madison County Montana to arrest said Whiting and deliver him to the Warden of the Montana Territiary of Deer Lodge Montana to serve out the remainder of his sentence, he serve no longer, he had not been pardoned

B.F. Potts
Governor

Receipt for delivery of Whiting to Penitentiary by Geo P Porter dated Aug 14 1895

I, Henry N. Blake, do solemnly swear that I have never voluntarily borne arms against the United States since I have been a citizen thereof; that I have voluntarily given no aid, countenance, counsel, or encouragement to persons engaged in armed hostility thereto; that I have neither sought nor accepted, nor attempted to exercise the functions of any office whatever, under any authority, or pretended authority, in hostility to the United States; that I have not yielded a voluntary support to any pretended government, authority power or constitution, within the United States, hostile or inimical thereto. And I do further swear that to the best of my knowledge and ability I will support and defend the constitution of the United States against all enemies foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely without any mental reservation or purpose of evasion and that I will well and faithfully discharge the duties of the office of Associate Justice of the Supreme Court of Montana Territory, on which I am about to enter. So help me God.

Henry N. Blake

I hereby certify that the above and foregoing oath of office was subscribed and sworn to before me this 18th day of August A.D. 1875

N. J. Davis
Justice of the Peace in and for
Madison County Montana Territory

Virginia City Montana Aug 15. 1875

Hon B. F. Potts
Governor Montana Territory

Sir
I have this day qualified as Associate Justice of the Supreme Court of Montana Territory. I therefore tender to you my resignation of the office of member of the House of Representatives from Madison County.
Asking you to accept the same. I remain
very respectfully
Henry N. Blake

Executive Department
Montana Territory
Helena Aug 20th 1875

The resignation of Hon. Henry N. Blake Member of the House of Representatives from Madison County is received and accepted. and Special Election ordered Oct 30 1875
B. F. Potts
Governor

Executive Department
Montana Territory
Helena Oct 11th 1875

Satisfactory evidence having been made by the certificate of Dr. J. S. Shiel that Lorain Sykes of Lewis and Clark County is insane and indigent, an order was this day issued to N. M. Sykes & Stetson Crane to Sister Loretto at St Johns Hospital at Helena
B. F. Potts
Governor

Receipt of Sister Loretto dated Oct 14th 1875

Executive Department
Montana Territory
Helena Oct. 20th 1875

Satisfactory evidence having been made by the certificate of Dr E. D. Yager that John (a Chinaman) of Madison County is insane and indigent, an order was this day issued to Robert Lyons to deliver him to Sister Loretto at St Johns Hospital at Helena
B. F. Potts
Governor

Receipt of Sister Loretto dated Helena Oct 20 1875

Did what was done by the Authority of the Territory of Montana

Thanksgiving Proclamation

In compliance with the honored custom of our fathers and in conformity with the recommendation of the President of the United States.

I hereby appoint Thursday November 25th instant as a day of Public Thanksgiving and prayer earnestly entreating all of the people of this Territory to abstain from their accustomed labors on that day, to assemble in their usual places of worship and in their homes, there to unite in offering up to Almighty God their devout thanks for the mercies which have crowned the year that now approaches its termination; to give thanks for the efforts put forth for the promulgation of the gospel, to advance the cause of free education, to check the curse of intemperance, to aid the poor and raise the fallen.

And when we gather around the family hearth surrounded by all the endearments of home, may we banish from our hearts all hatred, envy, malice, intolerance, uncharitableness and local jealousies and direct there to a kind remembrance of the poor and suffering.

May peace harmony and religious liberty everywhere prevail; remembering that righteousness exalteth a nation but sin is a reproach to any people; praising God for the faith and hope inspired by the gospel. We have all shared the bounty of God: let all join in his praise.

In testimony whereof I have hereunto set my hand and caused the Great Seal of the Territory to be affixed at Helena the Capital this the first day of November A.D. 1875 and of the Independence of the United States of America the One hundred.

B. F. Potts

Executive Department
Montana Territory
Helena December 6th 1875

The Reports of the Judges of the Supreme Court showing the Expenditures of the Appropriation for the Territorial Law Library for the years 1874 and 1875 were this day received and filed

B.F. Potts
Governor

Montana Territory
Executive Department
Helena Dec 15th 1875

The report of the President and Treasurer of the Historical Society showing the Expenditures of the Appropriation for the year 1875 was this day received and filed

B.F. Potts
Governor

Montana Territory
Executive Department
Helena Jany 3d 1876

To the Legislative Assembly

Dr. Stan. J. Lewis and Sorke County is appointed Private Secretary to the Governor

All communications from this Department to either House of the Legislative Assembly will be delivered by him in person

B.F. Potts
Governor

Montana Territory
Executive Department.
January 5th 1875.

To The Legislative Assembly.

Thomas A Cummings has been appointed Private Secy to the Governor.

All communications from this Department to the Legislative Assembly will be delivered by him in person.

B.F. Potts
Governor.

Helena Montana
Jany 5th 1875.

To His Excellency
B. F. Potts Governor of Mont.

With a view of engaging in mercantile pursuits, I beg leave to tender you herewith my resignation as Territorial Auditor.

Thanking you for the honor conferred and the many kindnesses and courtesies shown me and asking your acceptance of this my resignation,

I have the honor to remain
Very respectfully
Your obt Servant
(Sgd) Sol Star.

Montana Territory
Executive Dept
Helena Jan 5th 1875.

The within resignation of Sol Star Territorial Auditor is accepted to date this day.

B.F. Potts
Gov.

Montana Territory
Executive Dept.
January 7th 1875.

Hon Speaker of House Representatives
Sir:

In reply to the House Resolution requesting that the Governor inform the House of Representatives what amount of moneys have been paid from the Territorial Treasury, and what warrants if any have been drawn therein in payment of any printing done for the Territory since the adjournment of the 8th Session of the Legislative Assembly.

I have the honor to state that warrants for the following amounts for printing done for the Territory have been issued since the adjournment of the 8th Session of the Legislature.

Morris Fisk Pro. March 6th 1874 Printing blanks for Auditor and Treasurer Offices $150.00. April 1st 1874 Printing done for Supt of Public Instruction and Penitentiary $171.00. Feby 12th 1875. For advertising for proposals for public printing $10.50. March 6th 1875. For printing blanks for Auditor and Treasurers Office $270.00. March 6th 1875. For advertising removal of Auditors Office. $10.00. Sept 1st 1875 For printing letter heads for Treas Office $16.00. Nov. 30th 1875. For printing blank for receipts $12.50. Total $928.50

D. H. Mills Feby 13th 1874 For printing Report of Directors of Penitentiary $218.00. Feby 12th 1875 For advertisement for proposals for Public Printing $10.50. Total $228.50

Thomas Dreyarman Feby 13th 1874 For printing for 8th Session $886.70. Feby 13th 1874 For advertisement for proposals for public printing $18.00. Total $903.70.

Geo F Cope Feby 13th 1874 For printing for 8th Session $383.00. Feby 13th and [illegible] for binding [illegible] Rules

Mont. $ 250.00. April 16th 1874 For advertisement of sale of warrants $ 360.00. Total. $ 669.00.

"Montanian" Pub. Co. January 22nd 1875. For advertisement of proposals for public printing $ 9.57. January 29 1876. For advertisement of Treasurer calling warrants. $ 8.55. January 30th 1876. For printing Auditor and Treasurers Report $ 350.00.

Total $ 368.12.

Nerly Smith & Co.

Feby 16th 1874. For printing advertisement of proposals for public printing. $ 18.00.

Total $ 18.00.

Grand Total $ 2,826.32.

The Territorial Treasurer informs me that all Territorial warrants issued and registered before August 1st 1874 have been paid, and those registered since that date are outstanding and unpaid.

Very respectfully

B. F. Potts
Governor.

Montana Territory
Executive Department.
January 5th 1876.

To The President of the Council.

I have the honor to nominate and by and with the advice and consent of the Council appoint David H. Cuthbert, of Deer Lodge and Clarke County Territorial Auditor for the period of two years from the date vice Edward Star resigned.

Very respectfully.

B. F. Potts
Governor.

Confirmed by the Council Jany 21st 1876

Montana Territory.
Executive Department.
Helena January 5th 1876.

By virtue of the authority vested in me by the Organic Act, as Governor of said Territory, I appoint David H. Cushbut of Silver and Clarke County Territorial Auditor for the period of two years from this date subject to the advice and consent of the Legislative Council - vice Sol Star resigned.

B.F. Potts
Governor.

Montana Territory.
Executive Dept.
Helena, January 12th 1876.

To The Legislative Council

I have the honor to return to the Council C.B. No. 1 entitled an Act relative to public printing, without my approval.

The great objection to the bill is its want of certainty. A bill regulating the price to be paid for printing should be specific and certain, as to the rates to be paid for all classes of printing.

I shall cordially give my support to any reasonable measure that will reduce the expenses of printing. The French rates allowed by law and paid for public printing are admitted to be exorbitantly high and should be reduced.

I think upon a reconsideration the Legislative Assembly will concur with me that the bill should not become a law.

Very respectfully.
B.F. Potts
Governor.

Montana Territory
Executive Dept.
Helena, January 14th 1876.

To The Legislative Council

I have the honor to nominate and by and with the advice and consent of the Council appoint and commission, Cornelius Hedges of Deer Lodge County Superintendent of Public Instruction, for the period of two years from January 15th 1876.

Respectfully
B.F. Potts
Governor.

Montana Territory
Executive Department,
Helena, January 14th 1876.

Ah-You Chinaman was convicted of the crime of Grand Larceny at the April term of the Dist. Court in and for Deer Lodge County A.D. 1873 and sentenced to confinement in the Montana Penitentiary for the period of three years. A pardon is hereby granted said Ah-You, upon the recommendation of F.H. English, J.M. Fisk, Messrs. Clagett and Dixon and J.C. Robinson, late Dist. Atty for 2d Judicial Dist. and because of his uniform good conduct while in prison.

Given under my hand and the Great Seal of the Territory, the day and year above written

B.F. Potts
Governor.

Montana Territory
Executive Dept
Helena July 5th 1876

To The President of Council

I have the honor to nominate and by and with the consent of the Council appoint and commission David H. Horton Territorial Prisoner for the period of two years from July 5th A.D. 1876 vice Hon R. O. Hickman resigned

B. F. Potts
Governor

Montana Territory
Executive Dept
Helena January 19th 1876

To The Council

I have the honor to inform the Council that I have this day approved C. B. No. 6 Entitled an Act to amend Section 13 of Chapter 21 of an Act relating re-enacting and Codifying the general and permanent laws of Montana Territory

B. F. Potts
Governor

Montana Territory,
Executive Office,
January 24th 1876

To the Pres. of the Council:

Have the honor to inform the Council that I have this day approved C.B. No. 12 "Omitted Act concerning printing"

Respectfully
B.F. Potts
Governor

Montana Territory
Executive Office
Helena January 24th 1876

Satisfactory evidence having been made by the affidavit of Dr. H. L. Steele that one William L. H. Wood a resident of Madison County Montana is in a state of indigent circumstances and indigent a Warrant was this day issued for his delivery to Sister Josephine, of St Johns Hospital, Helena, Montana Territory.

Warrant to be returned to this Department, on or before the 27th day of January A.D. 1876.

B.F. Potts
Governor

Receipt of Sister Josephine, dated Helena, January 24th 1876.

Executive Office
Helena, Jany 31st 1876

To the Honor Representatives

Have the Honor to inform the House of Representatives, that on the 24th day of January A.D. 1876 I approved H.B. No. 14 Entitled An Act to provide for the assumption of the funded debt of Missoula County and to provide for the payment of the interest on the bonds of the said County

Also on same day I approved H.B. No. 17 Entitled An Act to amend an act authorizing the County Commissioners of the several Counties, to dispose of the surplus moneys in the different County funds: approved Feby 13th 1874.

Also on same day I approved H.B. No. 18. Entitled An Act to repeal an Act Entitled an Act defining the duties of Territorial Auditor.

Also on same day I approved H.B. No. 19. Entitled An Act to provide for the payment of the indebtedness of Missoula County. Also on same day I approved H.B. No. 99 Entitled An Act relative to costs in Divorce cases.

Also on the 28th day of January A.D. 1876 I approved H.B. No. 16 Entitled An Act, in relation to prisons and punishments

Very respectfully
B.F. Potts
Governor

Montana Territory
Executive Dept
Helena, January 31st 1876

To the Council:

I have the honor to inform the Council that on the "21" day of January 1876, I approved C. B. No. 14. Entitled, An Act supplemental An Act concerning the management of Livestock.

Also on the 31st day of January A.D. 1876, I approved C. B. No. 31. Entitled An act for the funding of the outstanding 12 per cent bonds of Jefferson County, Montana Territory, and for other purposes.

Very respectfully
B. F. Potts
Governor.

Montana Territory
Executive Office
Helena, Jany 25th 1876

To The Legislative Assembly:

I have the honor to submit to the Legislative Assembly a copy of a communication from the Hon Commissioner of the General Land Office, Hon Martin Maginnis, under date of January 4th 1876, suggesting the enactment of a statute making the width of Lode claims uniform throughout the Territory.

I respectfully recommend that the suggestion of the Honorable Commissioner be adopted by the Legislative Assembly, and that a statute making the width of Lode claims uniform throughout the Territory be enacted.

Very respectfully
B. F. Potts
Governor

Montana Territory
Executive Office
Helena Feby 2nd 1876

To The House of Representatives:

I have the honor to inform the House of Representatives that I have this day approved H.B. No. 40, Entitled An Act authorizing the County Commissioners of Missoula County to apply certain funds of said County for a specific purpose.

Also H.B. No. 30, Entitled An Act to amend Section 630, of the Civil Practice Act, concerning proceedings in the Probate Court. Also H.B. No. 36, Entitled An Act to provide for fire wardens in the Territory of Montana.

Very respectfully
B. F. Potts Governor

Maitland Territory,
Executive H.O.
Hobart Town 2nd Feby 1876.

To The Legislative Assembly.

I have the honor to submit for your information a report of pardons granted by this Office since Feby 2nd 1874 with the reasons therefor:

Geo Williams

Crime, Robbery, sentenced to confinement in the Penitentiary for the period of two years, convicted at the July term of the Dist Court in and for Lewis & Clarke County, 1871. Pardoned, Feby 19th 1874 upon condition that he would never use any kind of intoxicating liquor, and signed bond, which came to hand. Pardon recommended by the warden of the Penitentiary because of the uniform good conduct of the Convict, and by Joshua Dep. U.S. Marshal, who strictly observed the conditions of his pardon.

Henry Hall

Crime, Drawing and exhibiting a deadly weapon, Convicted at Feby term of Probate Court 1871, in Madison County, and sentenced to pay a fine of fifty dollars and costs and committed to the County Jail until fine and costs were paid. Pardoned and fine remitted on the recommendation of the Probate Judge, County Clerk, and Sheriff, that the County might be saved further expense, and that Hall had been sufficiently punished.

William Pitts

Crime, Grand Larceny, convicted at the March term of the Dist Court, 1871, Lewis & Clarke County, and sentenced to confinement in the Penitentiary for the period of three years, and six months.

Pardoned, May 23rd 1874, on the recommendation of F.H. English warden, because of good

and the near termination of his sentence.

Charles Lore

Grand Larceny, convicted at the December term of Dist Court 1872 of Deer Lodge County and sentenced to confinement in the Penitentiary for the period of two years. Pardoned June 27th 1874 upon the recommendation of Gov William H. Clagett, Judge Hiram Knowles, and thirty other good citizens of Deer Lodge County, and because of the good conduct of the convict during imprisonment.

William Whiting

Grand Larceny, Convicted at the December 1872 of the Dist Court in Lewis & Clarke County and sentenced to confinement in the Penitentiary for the period of seven years.

Pardoned Aug. 31st 1874 upon condition that he would forever abstain from the use of intoxicating liquor and upon the use of gambling. Credible evidence presented to me that said Whiting had violated the conditions of his pardon by gambling at Virginia City Montana at divers times during the month of May 1875. On the 9th day of May 1875 I revoked the pardon of Whiting, and issued a warrant to the Sheriff of said Madison County for the arrest of the said Whiting, and his return to the Penitentiary, to serve out the remainder of his original sentence.

He was at once arrested and returned to the Penitentiary, where he is now confined.

The warden, Rev. Hugh Dunican, and many others who were acquainted with Whiting, earnestly urged his pardon long before I consented to consent.

He appeared to have satisfied every person about the prison

that he had thoroughly reformed and would lead an upright life, if pardoned.

James Brooks

Crime, Grand Larceny, Convicted at the December term of Dist Court 1872, in Deer Lodge County and sentenced to confinement in the Penitentiary for the period of two years. Pardoned July 29th 1874, On the recommendation of the Warden and Guards of the prison, because of the convict good conduct and the near termination of his sentence.

Geo M Pond alias Jack Pond

Crime, manslaughter, convicted at the March term 1871, of the Dist Court, in Lewis & Clarke County and sentenced to Confinement in the Penitentiary for the period of two years. Pardoned Sept 4th 1874 upon the following Condition:

"I, Geo M. Pond,"
"a Convict in the Montana Penitentiary,"
"do solemnly promise that upon condition"
"that I be released from Confinement in said"
"Penitentiary, I will never use any kind"
"of intoxicating liquor, as a beverage, and"
"also promise and bind myself to leave the"
"Territory by the first mail"
"coach for Corinne, Utah, and will never return"
"to the limits of said Territory, under penalty"
"of being arrested and returned to the Penitentiary"
"to serve out the remainder of my sentence."

(Sgd.) Geo. M. Pond.

Sgd in presence of:
E. S. Pommer
A. H. Mitchell
F. H. English

The condition requiring the said (Pond) to leave the limits of the Territory, has been complied with and he

has not returned to crime. The pardon of said Pond was recommended by a large number of citizens of Lewis & Clarke, Deer Lodge and other Counties.

Lucklin Frazier

Opinion Escaping from Jail, convicted at the October term of the Dist Court 1874 Lewis and Clarke County and sentenced to Confinement in the Penitentiary for the period of one year. Pardoned Sept 10th 1874. On the recommendation of the Physician and Warden of the Prison that Confinement was rapidly developing insanity, and that death would ensue if he was continued in Confinement.

The crime was not of great magnitude and the Court Jury and County officers having recommended the pardon of Nistan, convicted at the same term and of same crime, it was thought that Frazier should be pardoned.

Wm M. Pratt

Opinion Exhibiting a pistol in a rude, angry and threatening manner. Convicted at the Sept term 1874 of the Probate Court Silver Bow County and sentenced to pay a fine of fifty dollars and costs.

Pardoned and fine remitted Sept 17th 1874. On the recommendation of the Dist Attorney, the entire Jury that tried the case, the Sheriff of Silver Bow County, and 20 good citizens of said County.

Samuel O. Dustan

Crime, breaking Jail, convicted at the June term 1874 of Dist Court in Lewis and Clarke County and sentenced to Confinement in the Penitentiary for the period of one year.

Pardoned Feby 22. 1875 On the recommendation of the Judge and Jury that tried the case and the Clerk of the District Court.

H. A. Clifford

Crime, breaking Jail, convicted at the June term of Dist Court, 1874 in Lewis and Clarke County and sentenced to confinement in the Penitentiary for the period of one year.

Pardoned April 14th 1875. for the same reason that Saml. O. Dustan having been convicted at the same term and for a like crime.

Michael Spertin

Crime, Grand Larceny, convicted at the June term 1872, of the Dist Court in and for Lewis & Clarke County and sentenced to confinement in the Penitentiary for the period of Seven years.

Pardoned April 22nd 1875 upon the recommendation of Hons. H. N. Maclaggett Robt Sanders, the officers of the prison, and one hundred good citizens of Lewis & Clarke County, and because of the uniform good conduct of the Convict while in prison.

"A. Yu."

Orin, Grand Larceny, convicted at the April term 1873, of the District Court in Deer Lodge County and sentenced to confinement in the Penitentiary for the period of three years.

Pardoned July 14th 1876, upon the recommendation of the Dist Atty who tried the case Messrs. Clagett and Dixon, and the wardn of the prison.

All papers on file in this Department in relation to pardons are subject to the inspection of any member or committee of the Legislative Assembly.

Very respectfully

B.F. Potts

Governor.

Montana Territory
Executive Dept
Helena Feby 5th 1876

To the House of Representatives:

I have the honor to inform the House of Representatives that I did on the 3rd day of Feby 1876 approve H.B. No 16 Entitled An act to amend an act Entitled An act revising, re-enacting, and codifying the general and permanent laws of Montana Territory.

Also on same day I approved H.B. No 46. Entitled An act to protect citizens of Montana from Empiricism and to elevate the standing of the Medical profession.

Also on the 3rd day of Feby 1876 I approved H.B. No 23. Entitled

an act to protect game, forbidding running and fire, in the Territory of Montana. Also on second day I approved H.B. No. 39 Entitled an act in relation to Counties and County boundaries.

Also on second day I approved H.B. No. 44. Entitled an act to provide for the redemption of the funded debt of Lewis and Clarke County.

Also on second day I approved H.B. No. 48. Entitled an act for the protection of Public Bridges in the Territory of Montana.

Also on second day I approved H.B. No. 61. Entitled an act concerning judgments in Justices Courts.

Also on second day I approved H.B. No. 9. Entitled an act relative to records.

Very respectfully
M. F. Potts
Governor.

Montana Territory
Executive Dept.
Helena Feby 8th 1876.

To the Council:

I have the honor to inform the Council that I did on the 8th day of Feby 1876 approve C.B. No. 13. Entitled an act to protect Public Sires.

Also on fifth day of Feby 1876 I approved C.B. No. 46. Entitled an act to amend an act in relation to Counties and County Officers approved January 9th 1872. Also on Seventh day of Feby 1876 I approved C.B. No. 47. Entitled an act to amend Sections 244 and 247 of the Civil Practice Act.

Also on the 8th day of Feby 1876 I approved C.B. No. 90. Entitled an act

in relation to the management of Insane persons in Montana Territory.

Also recommend you approve C.B. No. 35 Entitled an Act, concerning Notary Public.

Also recommend you approve C.B. No. 38. Entitled an Act to prevent the purchase and sale of votes.

Very respectfully
B. F. Potts
Governor

Montana Territory
Executive Dept.
Helena Feby 10th 1876.

To the House of Representatives.

I have the honor to inform the House of Representatives that on the 9th day of Feby 1876, I approved the following Bills, to wit: H.B. No. 64. Entitled An Act for the relief of Henry A. Mitchell.

H.B. No. 65. Entitled an Act to provide compensation to James H. Mills for certain printing done the Territory.

H.B. No. 67. Entitled an Act concerning motions. H.B. No. 16. Entitled an Act to provide for the election of Commissioners.

H.B. No. 21. Entitled an Act to provide for the transfer of road moneys in certain cases to the benefit of the Public Schools.

H.B. No. 66. Entitled an Act to provide for the compensation of D. A. Mitchell for medical and surgical services rendered the Territory of Montana at the Penitentiary of said Territory during the months of March and April A.D. 1874 at the request of J. H. English warden of said Penitentiary.

H.B. No. 43. Entitled an Act to provide for the formation of Corporations

other than those for pecuniary profit

Also on

Tenth day of Feby A.D. 1876. I approved H.B. No. 26. Entitled An Act to provide for the funding of the debt of Madison County.

Very respectfully
B.F. Potts
Governor.

Montana Territory,
Executive Dept.
Helena Feby 10th 1876

To the Council:

I have the honor to nominate and by and with the consent of the Council, appoint and commission the following persons as Notary Public, for the period of three years from and after the date of commission hereof:

Alexander J. Cider	Boulder	Jeff. Ter
Michael Donaly	Harrison	Mod. "
James McElroy	Deer Lodge County	
Geo. S. C. Hobbs	Lewis & Clarke	"
Chas. H. Peck	Madison	
James W. Page	Salisbury	Mod. Ter.
W. D. Johnson	Virginia City	" "
James M. Young	Helena	Lewis & Clarke "

Very respectfully
B.F. Potts
Governor

Confirmed by the Council Feby 11th 1876

Montana Territory,
Executive Dept.
Helena Feby 21st 1876.

To the House of Representatives:

I respectfully urge the passage by the House of the Council Bill, repealing the Act providing for the collection of Statistics.

The amount expended in attempting to enforce the law reaches several hundred dollars annually and no reliable collection of Statistics has been made. It is impossible under the law to enforce its provisions.

Assessors refuse to collect and return the Statistics of their districts, and when any one fails it destroys the value of returns made by others.

The law should be repealed or the Auditor be authorized to enforce the law

Very respectfully
B. F. Potts
Governor.

Territorial Secretary's
Executive Department,
Helena, Feby 11th 1876.

To The Legislative Assembly:

The only object in requiring the Territory to provide for the proper treatment and maintenance of the insane is that they may receive such treatment, though the Counties can afford. In my judgment the Territory cannot provide proper treatment for the insane, unless buildings are provided, and a man who has made the treatment of insane persons a specialty, employed to care for, and treat them.

The Hospital that now has charge of the insane possesses no advantages for proper treatment over the Hospitals in several of the Counties, and I have no doubt that the cost of keeping them in the Counties will be less than has been paid the Hospital in this place during the last twenty months, it certainly cannot be more, anywhere or under any circumstances.

The law of two years ago was defective, under its provisions an insane person could be admitted but no provision was made for his discharge, and no authority existed to empty a competent person to determine whether any of the insane should be discharged or not.

If the Legislative Assembly in its wisdom determines not to provide proper buildings for the insane, and care of same, and employ competent medical attendance, then let them be returned to the several Counties for treatment there.

The levy for Territorial purposes was reduced one fourth two years ago, and added to the levy for County purposes. And you have not at the present session seen fit to change it therefore. I think the responsibility of the care and maintenance of the insane

should devolve upon the several Counties, until such time as a Territorial Asylum is built.

No legislation should be had for the renewal of the Contract under the law of two years ago unless it be temporarily until proper buildings can be erected or purchased for an Asylum.

You should provide for the payment of the Hospital since December 31st 1875, by joint resolution.

Very respectfully
B.F. Potts
Governor

Montana Territory
Executive Dept
Helena Feby 11th 1876

To The House of Representatives

I have the honor to inform the House of Representatives that on the 11th day of Feby 1876, I approved H.B. No. 38. Entitled an Act concerning the management of livestock and to protect the interest of Stockgrowers in the Territory of Montana. Also on same day I approved H.B. No. 68 Entitled an act for the relief of minor heirs in certain cases. Also on same day I approved H.B. No. 79. Entitled An Act to amend Section 78. Chapter 6. of the Criminal laws of Montana. Also on same day I approved H.B. No. 92. Entitled An Act, to provide for the manner of conducting elections.

Very respectfully
B.F. Potts
Governor

Montana Territory
Executive Department.
Helena Feby 11th 1876

To The Council:

I have the honor to inform The Council that on the 9th day of Feby A.D. 1876 I approved C.B. No. 30 Entitled An Act defining the boundary lines of Meagher Co.

Also on the 11th day of Feby 1876 I approved C.B. No. 10 Entitled An Act for the funding of the outstanding indebtedness of Montana Territory, and the redemption of the 12 per cent Bonds.

Also on same day I approved C.B. No. 14 Entitled An Act to compel owners of Toll roads and bridges to keep same in repair.

Also on same day I approved C.B. No. 62 Entitled An Act to prohibit the traffic in intoxicating liquors on general election days.

Also on same day I approved C.B. No. 36 Entitled An Act concerning Chattel Mortgages.

Also on same day I approved C.B. No. 64 Entitled An Act for the relief of Henry Sommfield. Also on same day I approved C.B. No. 25 Entitled An Act for the relief of John Quirk.

Also on same day I approved C.B. No. 29 Entitled An Act for the relief of Seth Pinnock. Also on same day I approved C.B. No. 59 Entitled An Act to provide for the appointment of Guardians for persons insane

Also on same day I approved C.B. No. 19 Entitled An Act requiring witnesses and Jurors fees to be paid into the County Treasury.

Also on same day I approved Council Joint Resolution No. 7 appropriating moneys for Recorder of Marks and Brands.

Very respectfully
B.F. Potts
Governor.

Montana Territory.
Executive Office
Helena. Feby 11th 1876

To The House of Representatives.

I have The honor to inform The House of Representatives That on The 11th day of Feby 1876 I approved The following House Bills to wit:-

H.B. No. 27 Entitled An Act to incorporate The town of Helena.

H.B. No. 87 Entitled An Act to provide for The funding of The outstanding 12 per cent Bonds of Meagher County Montana Territory and for other purposes.

H.B. No. 20. Entitled An Act prescribing The Fees of The Clerks of The District Courts in The several Counties in The Terity.

H.B. No. 89 Entitled An Act concerning Firemen.

H.B. No. 1. Entitled An Act to amend an act in relation to roads and highways. approved Feby 12th 1874.

H.B. No. 81. Entitled An Act in relation to Schools. H.B. No. 71 Entitled An Act prescribing The jurisdiction of The Courts in Criminal cases. H.B. No. 59 Entitled An Act to provide for The support care and maintenance of The County poor and poor.

H.B. No. 34. Entitled An Act in relation to diseased animals. H.B. No. 42. Entitled An Act to facilitate and enforce the performance of official duties H.B. No. 7. Entitled An Act concerning Dower H.B. No. 88. Entitled An Act to provide for biennial elections in The Territory of Montana. H.B. No. 82. Entitled An Act authorizing The County Commissioners of Deer Lodge County to pay certain Claims.

H.B. No. 78. Entitled An Act to authorize The Counties interested to assist in building a Rail Road from The head of navigation on the Missouri at or near Fort Benton to The City of Helena.

H.B. No. 75. Entitled An Act to enable The people of The Territory of Montana to aid in The construction of a Rail road.

Very respectfully
[illegible]

Montana Territory.
Executive Dept.
Helena, Feby 11th 1876.

To the Council:

I have the honor to inform the Council that I have this day approved C. B. No. 44 Entitled An Act to encourage the construction of the Northern Pacific Rail Road, in the Territory of Montana.

Very respectfully
B. F. Potts
Governor.

Montana Territory
Executive Dept.
Helena, Feby 22nd 1876.

By virtue of authority vested in me by law as Governor of Montana Territory I hereby appoint and commission the following Officers to serve for the period of two years, from Feby 5th 1876, subject to the advice and consent of the Legislative Council at its next session

Directors of the Penitentiary at Deer Lodge.

Louis Orleman
H. H. Palmer.

Warden of the Penitentiary
Camp M. Fred

B F Potts
Governor.

Telegram W. U. T. Co. New York 13 March 76
To Geo. C. F. Potts

Did you receive my telegram of much seventh announcing willingness of Northern Pacific railroad company to accept the act of your legislature approved

Signed Saml Wilkeson

Telegram W. U. T. Co.
Helena Mt. T. March 13. 1876
Saml Wilkeson Esq. Sec'y.
Have not

B. F. Potts
Governor

Telegram W. U. T. Co.
New York 14 March 1876
To Benj. F. Potts
Gov. of Montana

The Northern Pacific Railroad Company board of Directors this day by unanimous resolution declared their willingness to accept the propositions contained in the act of the Montana legislature to encourage the construction of the Northern Pacific railroad approved Feby. 11th 1876, a copy of the resolution sent by mail, please acknowledge receipt of this telegram.

Saml Wilkeson
Secy. N. P. R. R. Co.

Montana Territory
Executive Department.
Helena March 16. 1876

To the Board of
County Commissioners
of Deer Lodge Co. M. T.

Gentlemen:

On the 14th day of March 1876 I received official notice that the Directors of the Northern Pacific Rail Road Company, did on the seventh day of March 1876 by unanimous vote declare their willingness to accept the proposition contained in the act to encourage the construction of the Northern Pacific Rail Road in Montana Territory

Approved July 11th 1876

I remain respectfully
Your obedient servant
B. F. Potts
Governor

Montana Territory
Executive Department

Helena, March 28. 1876

Anson Ford Esq. of Butte City, New Lodge Co. Montana, was this day appointed and commissioned Notary Public for the period of three years from this date, subject to advice and consent of Legislative Council at its next session.

B. F. Potts
Governor

Montana Territory
Executive Department

Helena, March 28. 1876

W. A. Clark Esq.
New Lodge, M.T.

Sir

The U. S. Centennial Commission at a meeting held in the city of Philadelphia, Feb. eighth 21st day of Mar. A.D. 1876 adopted a resolution inviting the Governors of the several States and Territories to appoint suitable persons to deliver addresses during the time of the Centennial Exhibition, on the history and resources of the States and Territories, in wealth, population, etc., embracing agricultural, manufacturing, mineral and other statistics, but the addresses delivered should be confined to facts for distribution in the United States and foreign countries.

I, therefore, B. F. Potts, Governor of Montana Territory, in compliance with said resolution do hereby appoint W. A. Clark, Esq. of New Lodge Co. Montana Territory, to prepare and deliver a suitable address on the history and resources of Montana Territory in wealth, population, etc., embracing agricultural, manufacturing, mineral and other statistics, at such time during the Exhibition at Philadelphia as the United States Centennial Commission may designate.

New Lodge Mont

B. F. Potts

Montana Territory
Executive Department

Helena M.T. May 16th 1876

In pursuance of law, I this day directed the Sanitarial Medical to issue a Warrant on the Territorial Treasurer for the sum of four hundred and sixteen 30/100 Dollars to B. S. Ingersoll for delivering Chas. McCauley to his brother James McCauley in the city of New York

B.F. Potts
Governor

Treasurers Office
Deer Lodge County

Deer Lodge M.T. May 17 1876

B F Potts
Governor Montana Territory
Helena, M.T.

Sir

I hereby tender my resignation as Director of Montana Penitentiary to take effect immediately

Respectfully Yours
Marcellus A. Jones

Montana Territory
Executive Department.

Helena May 20th 1876

The resignation of M. A. Jones Director of the Montana Penitentiary is accepted to take effect this date

B.F. Potts
Governor

Montana Territory
County of Lewis & Clarke

This is to certify that the undersigned Sureties of said Bond this 15th day of April A.D. 1876 join the bond entered by James Manbeck and Jennie Dehaven this mortgage as security.

Witness my hand April 15th A.D. 1876

B.F. Potts
Governor

Montana Territory
Executive Office

Helena, May 23rd 1876

D. H. Cuthbert, Esq
Territorial Auditor
Present

Sir — On pursuance of law you will issue a Warrant on the Territorial Treasurer in the name of John Kivlin for the sum of six hundred and seventy-eight dollars and fifty thousandths cents ($678.50) to compensate said Kivlin for conveying George Ridinger, an insane person, to his father in Jefferson County, Iowa, as per contract of this date.

B. F. Potts
Governor

Montana Territory
Executive Department

Helena, May 24th 1876

Subject to the advice and consent of the Legislative Council of said Territory at its next Session, William Orr of Lewis & Clark County is hereby appointed Trustee of the Montana Penitentiary, to hold said office until February 1st A.D. 1878

B. F. Potts
Governor

Montana Territory
Executive Department

Helena, May 30th 1876

Rev. J. Chandler
Washington
D.C.

Sir

Referring to your letter of recent date I recommend Louis Hilsendegen for Agent of the Indian Bureau at Fort Shaw

B. F. Potts
Governor
of Montana

Montana Territory.
Executive Department.

Helena, June 13th 1876.

D. H. Cuthbert Esq
Territorial Auditor
Present.

Sir

You will please draw a Warrant on the Territorial Treasury for the sum of two hundred and seventy three dollars and twenty one cents in the name of L. H. Hensfield & Co., to pay for the advertisement of the sale of Territorial Bonds in the "N. Y. Times" from May 1st to June 1st 1876, out of the appropriation made to carry into effect the Funding Act. Percent of the advertisement is in currency $252.50; Warrants at 8% discount making the Warrant as above $273.21.

B. F. Potts
Governor

Montana Territory
Executive Department

Helena, June 12th 1876

D. H. Cuthbert Esq.
Territorial Auditor
Present.

Sir

You will please issue a Warrant on the Territorial Treasury in the name of John Kight for the sum of one hundred and fifty two dollars, in payment of balance due him for services in conveying Jacob Hedinger from Helena to Fort Benton.

B. F. Potts
Governor

Telegrams.

Helena, July 5th 1876

To Genl W. T. Sherman
Washington D.C.

Battle ended yesterday. Three Hundred and fifty men and twelve officers killed. Custer himself among the dead. Sioux scouched the battlefield three days after the battle. Sioux, Cheyenne and Arapaho people. Under the government one thousand Volunteers.

B. F. Potts
Governor

Telegram

Bozeman M.T. July 14th 1876

To Hon. B. F. Potts

Crows crossing about depot of ammunition having robbed counting open hostilities immediately if ammunition and agency team now at Ellis Jos and Chas Denham telegraphed for permission to issue ten thousand rounds will now replace if he is refused issue is necessary. Swift scores daily at agency answer me.

S. V. Bogert

Telegram

Helena July 14th 1876

S. V. Bogert
Bozeman

No authority to issue to Indians, but will make good what Maj Dr Denham issues, make amount as small as possible until I come out to-morrow

B. F. Potts
Governor

Rec'd 8 P.M.

In the matter of the Estate of Joseph Logan

Montana Territory
Executive Department
Helena, Mont. 22nd 1876

Sworn Dana and convicted of the crime of Murder and sentenced by the Third Judicial District Court at Bozeman, Gallatin County, on the 6th day of June 1876, and now confined in the Penitentiary at Deer Lodge, Granite County, Montana Territory, for the period of one year, Chas Lafferty and others, citizens of Hon. Hiram Knowles, Justices of said District Court, Hon. A. E. Maxwell, Dist. Attorney of said District, and all other citizens of said Territory, that said convicted and sentenced in said Court October 1875 & June 1876, that he has observed the rules of the prison during his confinement and that he now is in the opinion of the undersigned.

I do hereby order and recommend to Third Legislative Assembly that said Joseph Logan, upon condition that he shall obtain gainful employment, be released as a convict.

B. F. Potts
Governor

Condition of
Jos. Jorg's Parolee

U. S. Penitentiary
Fort Leavenworth Kansas
August 24th 1876

I, Joseph Jorg agree that I will faithfully perform abstain from the use of intoxicating liquors as a beverage if I am released from my confinement in the Penitentiary at Fort Leavenworth Kansas.

Witnessed by
J. M. Fish
H. W. McKeever

Signed Joseph his X mark Jorg

Montana Territory
Lewis & Clarke County

This is to certify that the undersigned Governor of said Territory did on the 26th day of November A.D. 1876 join in the lawful bonds of Joseph Gans and Federica Kaufman, with their mutual consent, in presence of L. Gans, Henry Klind, Charles Lehman and Mrs Chas Lehman Witnesses.

Witness my hand November 27th 1876

B. F. Potts
Governor

Thanksgiving Proclamation

Whereas, in accordance with the long cherished custom of the Fathers, and in pursuance with the proclamation of the President of the United States recommending that Thursday, the 30th day of November 1876, be observed as a day of Thanksgiving and Prayer —

I, J. Schuyler Crosby, Governor of said Territory, do appoint the said day to be observed by all citizens of said Territory in a suitable manner.

Given under my hand at Virginia City this 11 day of November A.D. 1876 and of the Independence of the United States the one hundred and Twenty-first.

Seal

B. F. Potts
Governor

In the matter of the Sureties of John Mary Remission of fines

Montana Territory
Executive Department
Helena October 25. 1876

John Mary, was convicted in attorney of Probate Court held in Cascade County, Gallatin County in September A.D. 1876, for violating Sect. 62 of the Revised Code of the Territory, and accordingly sentenced to pay a fine of Fifty dollars and cost (amounting to $50.00). Owing to the latter of which he was, owing to his poverty, unable to discharge. From the statement of Deputy Dist. Atty. John P. Power and a petition signed by 36 good citizens of aforesaid county, it appears said Mary is a poor and hard working man, many mitigating circumstances surround his case and by paying his costs he has already been sufficiently punished.

Upon these representations the fine assessed as aforesaid, is remitted.

B. F. Potts
Governor

The following is a correct abstract of the votes polled at a General Election held in Montana Territory, November 7th A.D. 1876 for Delegate to the 45th Congress of the United States, as returned to the Territorial Auditor and duly canvassed by Daniel H. Foster, Territorial Treasurer and Wm. J. Fleek, U. S. Marshal of said Territory, in the presence of B. F. Potts, Governor of the Territory, assembled on the 3rd day of December A.D. 1876, at Virginia City, the Capital:

Counties	Martin Maginnis	C. S. Smith	Total
Choteau	333	26	359
Deer Lodge	143	276	424
Gallatin	344	173	517
Jefferson	296	222	518
Lewis & Clarke	791	642	1433
Madison	540	994	1534
Missoula	544	520	1064
Meagher	299	242	541
Silverbow	333	165	498
Total	3317	3267	6584

It will be seen that we have on this day and at the place appointed, canvassed the Election returns for

Original to file 45th Congress of the United States and that the foregoing abstract is correct.

Dated at Helena, Montana Territory, December 8th, A.D. 1876

D. A. Weston
Secretary & Ex-Officio
Librarian & Curator
U.S. Library, Territory of Montana

Genuine signature of
B. F. Potts
Governor

The United States of America
Territory of Montana } ss

I, Benjamin F. Potts, Governor of Montana Territory, do hereby certify that at a General Election held in said Territory on Tuesday, Nov. 7th, A.D. 1876, in pursuance of law, Martin Maginnis was legally elected Delegate to represent said Territory in the Forty-Fifth Congress of the United States, he having received the highest number of votes, cast at said Election aforesaid office.

Seal

In testimony whereof I have hereunto set my hand and caused the Great Seal of the Territory of Montana to be affixed. Done at Helena the Capital of said Territory, this eighth day of December, A.D. One thousand Eight hundred and seventy six.

B. F. Potts
Governor

The following is a correct abstract of the vote in relation to an Act to be submitted to the voters of said Territory on Monday, April 3rd A.D. 1876 in relation to the disposition of Our Real Estate, Viz: An Act to provide for the construction of the Methodist Episcopal Church in the City of Helena, approved February 14th A.D. 1876, submitted to the Governor of the Territory, opened and examined. Present, Hon. F. Sanders, and P. F. Thomas, Council, and Geo. W. Mantle in the presence of Secretary B. F. Potts, Governor of the Territory aforesaid on this April 29th A.D. 1876 at the Executive Office in Virginia City, Montana Territory.

Counties	For approval of R.R. Act: Yes.	For disapproval of R.R. Act: No.
Choteau	15	80
Madison	508	395
Deer Lodge	568	700
Gallatin	576	757
Jefferson	709	39
Meagher	342	180
Beaverhead	106	330
Missoula	72	267
	158	296
	3,054	3,286

We hereby certify that on the day and place aforesaid we canvassed the returns of the Elections for the approval or disapproval of the Rail-road Act as returned by the several Counties and that the foregoing Abstract is correct.

Given at Helena Montana Territory this April 29th A.D. 1876

D. F. Wilson
Territorial Treasurer
William F. Wheeler
U.S. Marshal of Montana

Attest: Wm J Parsons
B.F. Potts
Secretary

Montana Territory
Executive Department

Helena, January 8th 1877

To the Legislative Assembly

Benj F. Potts Esq. of Lewis & Clarke County is appointed Private Secretary to the Governor. He will be respected accordingly.

Respectfully
B. F. Potts

Montana Territory,
Executive Department

Helena, January 9th 1877

To the President of the Council

I have the honor to nominate, and by and with the consent of the Legislative Council, appoint the following named persons Notaries Public for the period of three years from the date set opposite their names, to wit:

Robert L. McGarrigal	Deer Lodge County	October 11. 1876
John M. D. Pauli	Beaverhead "	October 26 "
Oliver H. Foster	Lewis & Clarke "	November 23 "
Henry H. Griffiths	" " "	Oct. 6 "
Robert H. Williams	" " "	Oct 26. "
Wm J. M. Hall	Jefferson "	Nov. 9 "
William S. Hollenbeck	Madison "	Nov. 6. "
Josiah J. Williams	Lewis & Clarke "	Dec 3 "
Albert Jr. McKinnard	Choteau "	July 3. "
John H. Shober	Lewis & Clarke "	July 3. "
Samuel E. Corbett	Jefferson "	June 22 "
Joseph M. Geddes	Lewis & Clarke "	June 24 "
Walter H. Day	" "	Nov 24 "
Andrew Jackson	Deer Lodge "	March 27 "
Geo. O. Evans	Cascade "	April 11. "
Joseph J. Davis	"	January 11. 1877
Max J. K. Conrad	Lewis & Clarke "	January 11. 1877

Respectfully
B. F. Potts

Approved. January 15th 1877.

I, Henry C. Page, do solemnly swear that I am not hostile and against the United States, since I have been a citizen thereof, that I have voluntarily given no aid, countenance, counsel or encouragement to persons in armed hostility thereto; that I have neither sought nor accepted nor attempted to exercise the functions of any office whatever under any authority, or pretended authority in hostility to the United States; that I have not yielded a voluntary support to any pretended government, authority, power or constitution within the United States, hostile or inimical thereto. And I do further swear that to the best of my knowledge and ability, I will support and defend the Constitution of the United States against all enemies foreign and domestic, and that I will bear true faith and allegiance to the same; that I take this obligation freely and without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

(signed) Henry C. Page

Seal

Sworn and subscribed to before me this 4th day of August A.D. 1876

B. F. Potts
Governor of Montana

Recd Jan 9. 1877.

Montana Territory
Executive Department.

Helena, January 10th 1877

To the President of the Council:

I have the honor to nominate and by and with the consent of the Legislative Council appoint and commission the following gentlemen to the Territorial Legislature for the period of this session, to wit:

Frank M. Cleveland, Silver Bow County
Thomas F. Dowling, Deer Lodge County.

Respectfully,
B. F. Potts

Approved January 10th 1877

Montana Territory,
Executive Department.

Helena, January 16th, 1877

James A. McChapman was this day appointed and commissioned Commissioner of Deeds for Montana Territory for the State of Massachusetts for the period of three years from this date.

B. F. Potts
Governor.

Montana Territory
Executive Department

Helena January 16th 1877

To the President of the Council:

I have the honor to nominate and by and with the consent of the Legislative Council appoint and commission Michael A. Meyendorff of Silver Bow County a Notary Public for the term of three years from date.

Respectfully
B. F. Potts

Confirmed January 17. 1877.

Montana Territory
Executive Department

Helena January 17th 1877

To the Legislative Assembly:

I have the honor to submit to the Legislative Assembly a recommendation from Jay Gould and others for a grant of the Mount Spritzer Hill Road to aid in its construction from Spratt to the north Six Mile, for the sum of one million five hundred thousand dollars in Territorial Bonds.

Copy of the petition having been filed with the Department, the same is sent to the House of Representatives and a copy to the Council.

Respectfully
B. F. Potts

Copy of Petition:
To the Honorable
Legislative Assembly of Montana:

Whereas the people of these Territories are desirous of having an overland wagon road established between good towns centrally and roads leading to the great cities

of this United States and that a liberal subsidy will be granted by your Legislative Assembly to any corporation or individuals that will undertake to build such railroad.
We therefore submit to your the following proposition, to wit:
1st That we will undertake in consideration that such a subsidy as hereinafter named is voted, to build a Narrow Gauge road of the width of the Utah Northern Rail Road, starting at Franklin. After obtaining a survey of the contemplated route, to run the road to Montana and to terminate at a point in Montana as far North as the mouth of Six-Mile River, and said rail road to be completed at the rate of One hundred miles per year from and after the commencement of same.
2nd That the said road shall be supplied with all the necessary rolling stock to do and transact the business of the said road, as it progresses.
3rd That the said road, which will be called the Utah Northern Extension Rail Road, and will be constructed as above named in consideration of your Territory granting to the individuals or corporation building the said Road, Bonds, to an amount of One Million Five hundred thousand dollars ($1,500,000) basing the entire length of road at three hundred miles which would be built under, and pursuant to this proposition.
4th That the amount of Bonds to which the said subscribers or corporation shall be entitled when the whole road is completed shall be issued and delivered in New York City of New York but entitled to be delivered in accordance with the provisions hereinafter contained.
5th That said Bonds shall bear interest at the rate of Ten per cent per annum, payable in New York, with semi-annual coupons attached thereto for the interest only to be detached from the time of maturing of the coupons respectively.
6th That the actual work of said road shall commence at the said Brigham mentioned Franklin, and continue towards the said designated terminus and that from the said place of commencement to the said terminus line in Montana, there shall be delivered and paid over upon the construction and opening for freight and passengers of every twenty miles of said Rail Road from said starting point, the pro-rata proportion of Bonds that is to say: Five thousand Dollars per mile.

7th The deposition of said Bonds shall be in the city of New York, to be fixed and agreed upon by mutual consent of parties in interest, and the work of constructing said Road shall be commenced within fifty days after the Bonds shall be deposited as above stated.

The foregoing proposition is made in good faith and with the intention of building the said Road, if the said aid asked for is granted by your Territory. We are satisfied of our ability to construct the road within the time and in the manner above named, all of which is most respectfully submitted to Your Honorable Body to act upon.

Dated New York this 23rd day of December 1876.

Signed: Oliver Ames
E. Atkins
Sidney Dillon
Jay Gould
H. Gordon Rutter
S. Richardson
Royal M. Bassett
Pres. Utah Northern R. R. Co.

I certify that the foregoing is a true copy of the original proposition

R. F. Pettigrew
Secretary

Montana Territory,
Executive Department,
Helena January 5th 1877

To the President of the Council:

I have the honor to nominate and by and with the advice and consent of the Legislative Council appoint and commission the following named persons Notaries Public for the term of three years from this date:

W. B. Johnson — Madison County
G. H. Miles — Big Horn "

Respectfully
R. F. Pettigrew

Confirmed January 11th 1877
Duplicate Commission issued July 21st 1877

Territory of Montana
Executive Department.

Helena Nov. 25th 1876.

In pursuance of a requisition of the Governor of Utah Territory for the surrender of Henry Mayfield, convicted of the crime of Larceny from the person, in the District Court for the Third Judicial District of Utah Territory on the 17th day of March 1876, a Warrant was this day issued to the Sheriff of Madison County, Montana Territory, for the delivery of said Mayfield to N. O. Johnson, the person named in the said requisition, to be delivered by him to the proper authorities in the said Territory of Utah.

B. F. Potts
Governor

Territory of Montana
To the Sheriff of Madison County
Montana Territory:

In pursuance of a Requisition made by the Governor of Utah Territory, on the Governor of Montana Territory for the surrender of one Henry Mayfield, a fugitive from justice. You are directed to deliver said Henry, or Hanse Mayfield, to N. O. Johnson, the person appointed by the Governor of Utah Territory to receive said Mayfield and deliver him to the proper authorities in said Territory of Utah. In testimony hereof I have set my hand and caused the Great Seal of the Territory to be affixed. Done this 25th day of November A.D. 1876

B. F. Potts
Governor

Territory of Montana
Executive Office

Helena, January 10th 1877

To the President of the Council:

I hereby have to nominate and by and with the advice and consent of the Legislative Council appoint and commission the following named person Notary Public for the term of two years from date:

John F. Fellis of the Judge County
David A. Leedy " Madison County

Respectfully

Confirmed January 10, 1877

I certify that by written and personal notice I informed John D. Johnson and the body of Citizens of Madison Co. Montana Territory of the appointment of Henry Edwards, Sheriff of Madison Co. Montana Territory, as a Sheriff to execute the warrant of Governor Potts, dated Nov. 25th 1876.

Sheriff's Office
Madison Co. M.T.
Henry Edwards
Sheriff

Montana Territory,
Executive Office,

Helena, January 19th, 1877.

To the Legislative Assembly:

I have the honor to submit the Report and Vouchers of Joseph P. Wettman, Esq., Centennial Commissioner for Montana, showing the expenditures of the Centennial Appropriation.

I respectfully request that the report and vouchers be carefully examined.

The collection of ores exhibited by the territory is now in charge of the Smithsonian Institution. I have been requested by the officers of the Institution to ask the Legislature to donate the collection to the care and custody of said Institution. As the collection would sell for but little, if offered for sale, I respectfully recommend that it be donated to the Smithsonian Institution and thereby give the ores of Montana a place in the National Museum.

You are respectfully requested to decide at an early day what disposition shall be made of this collection.

Only one copy of the report and vouchers being here furnished this Department, the same is sent to the House of Representatives.

Respectfully

B. F. Potts

Montana Territory,
Secretary's Department.

Helena, January 24th 1877

To the President of the Council:

I have the honor to nominate, and by and with the advice and consent of the Legislative Council appoint and commission

Marcus Bullard

of Lewis & Clark Co. to be a Notary Public for the term of three years from date.

Respectfully,

B. F. Potts

Min. Joseph W. Gaston
of Big Horn County
Confirmed Jan. 26. 1877

Montana Territory,
Executive Department.

Helena, January 26th 1877

To the President of the Council:

I have the honor to nominate and by and with the advice and consent of the Legislative Council appoint and commission

Edward H. Bonnell of Lewis & Clark County,

as Notary Public for the term of three years from date.

Respectfully

Confirmed January 26th 1877 B. F. Potts

Montana Territory,
Executive Department.

Helena, January 29th 1877

To the President of the Council:

I have the honor to nominate and by and with the advice and consent of the Legislative Council appoint and commission the following named persons Notaries Public for the term of three years from date:

Charles W. Hunter of Beaverhead County
John R. Quigley of Deer Lodge County

Respectfully

Confirmed January 30th 1877 B. F. Potts

Montana Territory
Executive Department

Helena, January 29th, 1877.

To the Council:

I have the honor to inform the Council that on the 26th day of January 1877 I approved C. B. No 4, entitled: An Act to provide for the appointment of Commissioners of Deeds. Also on same day I approved C. B. No 7. Entitled: An Act supplementary to an act to provide for the support, care and maintenance of the county sick and poor. Also, on same day, I approved C. J. R. No 1 To provide for the purchase of the eight dozen five hundred and eighty Springfield rifle muskets and twenty five thousand center fire metalic cartridges.

Respectfully.

B. F. Potts

Montana Territory,
Executive Department.
Helena, January 30th 1877

To the President of the Council:

I have the honor to nominate and by and with the advice and consent of the Legislative Council appoint and commission William J. Stephens of Missoula County a Notary Public for the term of three years from date.

Confirmed January 30th 1877

Respectfully
B. F. Potts

Montana Territory,
Executive Department.
Helena, February 1st 1877

To the Legislative Assembly:

I have the honor to transmit herewith a copy of a communication from Sister Josephine, in charge of St. Johns Hospital, Helena Montana.

I respectfully recommend that authority be granted to accept the proposition contained in the communication, to maintain and care for these insane persons now confined in said hospital until such time as other provisions, accommodations

Respectfully
B. F. Potts

Copy:

To His Excellency B. F. Potts Gov. of Montana:

Concerning the date of admission of these insane to state that I will keep the boys now there, admit other, each case requiring consideration of course according to circumstances etc. etc. and when there is other provision made, so as to be able to do the same care and treatment as called for, and upon the same terms as in the time specified above.

Hoping most respectfully
Sister Josephine

Sequence Received
Feb 1st 1877
Jan 31st 1877
G. J.

Montana Territory,
Executive Department,

Helena, February 3rd 1877

To the President of the Council:

I have the honor to nominate and by and with the advice and consent of the Legislative Council appoint and commission

Robert S. Vivian of Gallatin County

a Notary Public for the term of three years from date.

Respectfully,
B. F. Potts

Confirmed February 5th 1877

Montana Territory,
Executive Department,

Helena, February 5th 1877

To the President of the Council:

I have the honor to nominate and by and with the advice and consent of the Legislative Council appoint and commission the following named persons Notaries Public for the term of three years from date.

William R. Reel of Madison County
and Oliver C. Morrison of Lewis & Clark County.

Respectfully
B. F. Potts

Confirmed Feby. 5th 1877

Montana Territory,
Executive Department,

Helena, February 10th 1877

To the President of the Council:

I have the honor to nominate and by and with the advice and consent of the Legislative Council appoint and commission

Alexander Carmichael of Lewis & Clark County

a Notary Public for the term of three years from date.

Respectfully
B. F. Potts

Confirmed February 11th 1877

Montana Territory
Executive Department
Helena, February 9th 1877

To the House of Representatives:

I have the honor to inform the House of Representatives that on the 3rd day of February A.D. 1877 I approved House Joint Resolution No. 1: Commorading the death of General George A. Custer, also on same day I approved H.B. No. 23 entitled: An Act with reference to the exhibit of Montana at the National Exhibition; also on same day I approved H.B. No 7, entitled: An Act to repeal an act, entitled an act in relation to administrators and executors, approved May 6th 1873; and on same day I approved H.B. No 13, entitled: An Act to provide for burial districts in the territory of Montana; and on same day I approved H.B. No 24, entitled: An Act for the relief of F. C. Deuling; On the 8th day of February 1877 I approved the following Bills: H.B. No. 21, entitled: An Act to amend an act in relation to brands and marks, approved January 11th 1872, codified statutes page 565. — H.B. No 36 entitled: An Act to provide compensation for J. H. Kelley, Hugh McLaughlin and L. F. Landis for printing. — H.B. No. 39, entitled: An Act to amend Sec. 1147 of the criminal laws. — H.B. No. 5: An Act for the relief of an act concerning the management of live stock, approved February 11th 1876. & H.B. No 18 entitled: An Act defining the powers and duties of the board of county commissioners of Gallatin county in certain cases. — H.B. No. 6, entitled: An Act in relation to live stock,

Respectfully
B.F. Potts.

Montana Territory
Executive Department
Helena February 9th 1877

To the Council:

I have the honor to inform the Council that on the first day of February A.D. 1877 I approved C.B. No 9, entitled: An Act to compel the owners of ditches and flumes to keep the same in repair; and on the 5th day of Feb. 1877, I approved C.B. No 16,

entitled: An Act to enable the people of Bozeman to erect a schoolhouse; also on the 9th day of Feby 1877, & afterwards C.B. No 5, entitled: An Act to repeal section one of an act, entitled an act concerning County Warrants and for other purposes, approved January 11th, 1872; also on same day & approved C.B. No 20, entitled: An Act concerning Notaries Public, approved February 8th 1876.

Respectfully
B.F. Potts

In the matter of the pardon of George W. Ray.

George W. Ray was convicted of the crime of murder in the second degree at the March term of the District Court in Gallatin County, Montana Territory, 1875, and sentenced to confinement in the United States Penitentiary for the term of fifteen years.

Upon petitions from Bishop D. S. Tuttle, Rev. M. N. Gilbert, thirty-two citizens of Ohio, N. Y. and three hundred and five citizens of Montana, a pardon restoring said Geo. W. Ray to all his civil rights is hereby granted, upon the conditions contained "A" signed by him and hereunto attached.

Given under my hand and the Great Seal of this Territory this 9th day of February 1877.

B.F. Potts
Governor

Condition "A."

I, George W. Ray voluntarily accept the conditions of the pardon and bind myself to forever a stain from the use of intoxicating liquors under the penalty of being arrested and committed to the Penitentiary to serve out the remainder of the sentence of the court if I violate the conditions of said pardon.

Given under my hand this tenth day of February A.D. 1877.

(Signed) G. W. Ray

Witness:
H. H. McKinsley
J. M. Fish

Territorial Territory,
Executive Department.

Helena, February 9th 1877

To the House of Representatives:

I have the honor to return to the House of Representatives H.B. No 16, entitled "An Act relative to the territorial library" without my approval.

Section 6 of the bill provides that Clerk of the Supreme Court shall receive for his services under the bill an annual salary of four hundred dollars, but I cannot find any provision in the bill authorizing the payment of the salary from any treasury.

I do not think that it can be seriously claimed that the territorial auditor, under the general law defining his duties would be authorized to draw his warrant on the territorial treasurer for the salary prescribed in the bill.

I do not suppose it was the intention of the Legislature to impose the duties of a territorial officer upon the clerk of the Supreme Court without compensation, but I cannot believe he can receive any compensation from the territory under the bill, should it become a law. I also object to the bill, because it attempts to fill a territorial office in a manner not authorized by the Organic Act. The bill attempts to pay a salary of four hundred dollars to the clerk of the Supreme Court for his services in charge of the territorial library, and, as "Librarian" he is required to give bond to the territory. This office is designated fifteen times in the bill as Librarian and as clerk of the Supreme Court twice only.

The office of Librarian has never heretofore been regarded as a territorial office and its duties were discharged by a territorial officer, and as it is not a township or district office it can only be legally filled by the appointment of the Governor and confirmation of the Legislative Council. The territorial auditor has been ex officio Librarian ever since the office was created, and why a part of the duties of the auditor should be imposed on another, at a cost of fees to the territory, when the present incumbent is a gentleman in every way competent, I cannot comprehend.

The territorial auditor or treasurer can perform the duties of Librarian without an increase of salary, and the additional cost for lights, fuel, rent etc. will be but trifling. It is clearly capable of demonstration

that if the library is placed in charge of the territorial auditor or treasurer, it will cost the territory from eight hundred to one thousand dollars per annum less, than if it is placed in charge of the clerk of the Supreme Court, if the designs of the framers of the bill are carried out. The library will certainly be as safe and as well managed by either of the officers above named as by the clerk of the Supreme Court. The duties of either of said officers, now imposed upon them by law, are not such, as to prevent either of them from discharging the duties of Librarian in the most efficient manner. In the present financial condition of the territory, I can not consent to an increase of expenditures, if it can be avoided. I respectfully ask that the Legislative Assembly reconsider its action on this bill.

Respectfully
B. F. Potts

Montana Territory,
Executive Department,
Helena February 12th 1877

To the President of the Council:

I have the honor to nominate and by and with the advice and consent of the Legislative Council appoint and commission the following named persons Notaries Public for the term of three years from this date:

Geo. F. Marsh of Lewis & Clarke County
Nicholas Hilger of Lewis & Clarke County
Alex J. Rembert of Madison County

Respectfully
B. F. Potts

Approved February 13th 1877

Requisition:

Montana Territory
Executive Department

Helena February 13th 1877

To his Excellency the Governor of the territory of Utah:

Whereas it appears by the annexed indictments duly authenticated in accordance with the laws of this territory that John F. Pascoe stands charged with the crime of assuming the office of an officer and threatening to injure a person with intent to extort money, committed in the county of Lewis & Clarke in this territory and that it has been represented to me that he has fled from the territory and has taken refuge in the territory of Utah.

Now therefore, pursuant to the Constitution and laws of the United States, in such cases made and provided, I do hereby request that the said John F. Pascoe be apprehended and delivered to Peter Ronan, who is hereby authorized to receive him and convey him to the territory of Montana, there to be dealt with according to law.

Seal

Given under my hand and the Great Seal of the territory this, the 13th day of February in the year of our Lord one thousand Eight hundred and seventy seven.

Respectfully
B.F. Potts
Governor

Montana Territory
Executive Department

Helena February 13th 1877

To his Excellency the Governor of Utah:

Sir — The bearer Peter Ronan Esq. Deputy Sheriff of Lewis & Clark county Montana, will present you my requisition for one John F. Pascoe, who has been indicted by the Grand Jury of this County for the crimes stated in the indictments (a copy of the same is attached to the requisition). The District Attorney assures me that he can be convicted for the crimes charged, if apprehended and returned. The penalty is confinement in the Penitentiary. I trust you will issue warrant for his arrest and deliver to Mr. Ronan

Respectfully
B.F. Potts
Governor

Montana Territory
Executive Department,
Helena, February 14th 1877.

To Hons
E. B. Nalsbury – Council
A. H. Mitchell
W. E. Bass
J. C. Robinson House of Reps.
J. A. Clyde

Sir – I do not propose to be a party to the enactment of a law, the passage of which has been procured by the use of money.

I will thank you for any information in your possession that will throw any light upon the action of any member or members of the Legislative Assembly touching the railroad or other legislation during the present session.

Very respectfully
B. F. Potts
Governor

Montana Territory,
Executive Department,
Helena, February 14th 1877

Charles Nettleton of the state, county and city of New York, was this day appointed and commissioned a Commissioner of Deeds for Montana in the state of New York, for the period of three years from date.

Governor

Montana Territory
Executive Department
Helena, February 15th 1877

To the President of the Council:

I have the honor to nominate and by and with the advice and consent of the Legislative Council appoint and commission

William H. Tedd of Choteau County a Notary Public in the term of three years from date.

Respectfully
B. F. Potts

Confirmed February 15th 1877

Commission issued 12 [illegible]

Territory of Montana
Executive Department

Helena February 15th 1877

To the House of Representatives:

I have the honor to inform the House of Representatives that I have this day approved the following Bills, to wit: H. B. No. 4, without title; H. B. No. 22, entitled: An Act to encourage the manufacture of woolen fabrics in the Territory of Montana; H. B. No. 35, entitled: An Act for the relief of W. F. Wheeler; H. B. No. 58, entitled: An Act to change the name of Stinkingwater river; also on Feby 15th at one o'clock and fifteen minutes P.M. H. B. No. 14, entitled: An Act re-apportioning the members of the Legislative Assembly. Also on the same day at 6 o'clock P.M. I approved the following Bills: H. B. No 12 entitled: An Act to authorize the Governor to contract for the keeping and maintenance of the territorial convicts in the United States Penitentiary at Deer Lodge. H. B. No. 20 entitled: An Act to protect the treasuries of the counties and of the territory of Montana.

Respectfully

B. F. Potts

Territory of Montana
Executive Department

Helena February 15th 1877.

To the Council:

I have the honor to inform the Council that I have this day, at 1 o'clock and 30 minutes approved the following Council Bills, to wit: C. B. No. 15, entitled An Act concerning elections. C. B. No 44 entitled An Act to regulate the Selection of County Commissioners, and C. J. R. No. 2 to pay an expert for examining the treasurer and auditors books, also at 6 o'clock P.M. of said day I approved the following Bills: C. B. No. 12, entitled An Act for the benefit of common schools; C. B. No. 23 entitled: An Act to amend Section 4 of an act entitled an act to protect fur bearing animals and fish in the territory of Montana, approved February 5th 1876, also C. B. No 8, entitled: An Act in relation to swine. C. B. No. 47, entitled: An Act to establish names to streams in Deer Lodge County.

Respectfully.

B. F. Potts

Territory of Montana
Executive Department
Helena, February 15th 1877

To the President of the Council

I have the honor to nominate and by and with the advice and consent of the Legislative Council, appoint and commission

Oscar C. Morton of Lewis & Clarke County a Notary Public for the term of three years from date hereof.

Respectfully
D. F. Potts

Confirmed February 15th 1877

Montana Territory
Executive Department
Helena, February 16th 1877

To the President of the Council:

I have the honor to nominate and by and with the advice and consent of the Legislative Council appoint and commission

John Morris of Gallatin County a Notary Public for the term of three years from date hereof

Respectfully
D. F. Potts

Confirmed February 16. 1877

Montana Territory
Executive Department
Helena, February 16th 1877

To the President of the Council:

I have the honor to nominate and by and with the advice and consent of the Legislative Council appoint and commission

Andrew O'Leary of Madison County a Notary Public for the term of three years from date hereof.

Respectfully
D. F. Potts

Confirmed February 16. 1877

Montana Territory,
Executive Department.
Helena February 16th 1872.

To the House of Representatives:

I have the honor to inform the House of Representatives that I have this day at 8 o'clock P.M. approved the following Bills to wit: H.B. No. 52, entitled: An Act in relation to the collection and disbursements of the revenues of Missoula County and for other purposes; H.B. No. 74, entitled An Act authorizing the administrator of the estate of John H. Rogers, deceased, to sell the property of said estate; H.B. No. 25, entitled: An Act to consolidate the county offices of Meagher, Choteau, Jefferson, Gallatin and Missoula Counties; H.B. No. 19, entitled: An Act to amend an act concerning licenses, approved May 8th 1873; also at 8 o'clock P.M. of said day I approved the following Bills, to wit: H.B. No. 45, entitled: An Act to amend the Helena incorporation act; H.J.R. #2; H.J.R. No. 6; H.J.R. No. 5, for the relief of George C. Hibbs; N.B. No. 65, entitled: An Act to amend an act entitled an act to provide for the redemption of the funded debt of Lewis & Clarke county, approved February 5th 1872; N.B. No 62, entitled: An Act to regulate the sale of water and encourage the pursuits of industry, and N.B. No 31, entitled: An Act to aid in the construction of a railroad to Montana.

Respectfully
B.F. Potts

Montana Territory
Executive Department.
Helena, February 16th 1872.

To the House of Representatives:

I have the honor to inform the House of Representatives that I have this day at 9 o'clock P.M. approved the following bills, to wit: H.B. No 61, entitled: An Act relating to Probate Courts and estates of deceased persons; N.B. No. 59, entitled: An Act to provide a code of civil procedure in the territory of Montana; H.B. No 70, entitled: An Act to provide for the care and custody of the arms belonging to the territory of Montana and for other

purposes; H.B. No. 3, entitled: An act to facilitate the conviction of robbers; H.B. No. 10, entitled: An Act to authorize the holding of county teachers institutes; H.B. No 60, entitled: An Act to provide for the copying of laws for publication; H.B. No. 41, entitled: An Act to protect persons and property; H.B. No. 33, entitled: An Act to provide for publishing the reports of the Supreme Court of the territory.

B.F. Potts
Respectfully

Montana Territory,
Executive Department
Helena February 16th 1877

To the Council:

I have the honor to inform the Council that on the 16th day of February 1877, at 10 o'clock A.M. of said day I approved the following bills to wit: C.B. No. 30, entitled: An Act to provide against accidents in case of fire; C.B. No 43, entitled: An Act to create a good time law for the convicts of the territorial penitentiary; C.B. No. 51, entitled: An Act to amend an act to provide for the support and maintenance of the Helena fire department; C.B. No. 52, entitled: An Act to legalize the action of the county commissioners of Gallatin county; C.B. No. 56 entitled: An Act to provide for the support and maintenance of the Little City Fire Department; also at 8 o'clock of said day I approved C.B. No 28, entitled: An Act to prevent persons keeping gaming houses from permitting minors to gamble therein; also at 9 o'clock P.M. of said day I approved the following Bills to wit: C.B. No. 2 entitled: An Act providing for the election of county assessors; and C.B. No 60, entitled: An Act to provide for the relief of the finances of Beaverhead county.

B.F. Potts
Respectfully

Montana Territory,
Executive Department.

Helena February 16th 1877

To the House of Representatives:

I have the honor to inform the House of Representatives that I have this day at 11 o'clock and 45 minutes P. M. approved H. B. No. 80, entitled: An Act relating to the duties of territorial treasurer; also H. J. R. No. 3, for relief of Kerley, McQuaide & Lacroix.

Respectfully
B. F. Potts

Montana Territory,
Executive Department.

Helena, February 16th 1877.

To the Council:

I have the honor to inform the Council that I have this day at 11 o'clock and 45 minutes P. M. approved the following bills: C. B. No 35, entitled: An Act to amend chapter 40, of an act, entitled an act, revising, reenacting and codifying the general and permanent laws of Montana, approved Feby. 12th, 1872; C. B. No. 61, entitled: An Act to fix the time of holding the regular sessions of the fifth legislative assemblies of the territory of Montana, and C. B. No. 62, entitled: An Act to change the name of Big Horn county in Montana to Custer county.

Respectfully
B. F. Potts

Montana Territory,
Executive Department.

Helena, February 17th 1877.

The undersigned order and direct the following bills passed by the tenth Legislative Assembly of Montana Territory be copied and printed in pamphlet form to wit: Council Bills, No. 7, 9, 5, & 44, 23, 15, 8, 30, 28, 2, 35 and 62; and House Bills No. 7, 13, 21, 39, 5, 6, 22, 44, 20, 25, 19, 62, 31, 70, 3, and chapter 2 of title 15, and chapter 3 of title 7, and section 874 of chapter 2 of title 5, and section 2141 of chapter 3 of title 7 of R. S. No. 59.

(Signed) { H. E. Beers, President of the Council
A. E. Mayhew, Speaker House of Rep's. B. F. Potts Governor }

Montana Territory
Executive Department

Helena March 12th 1877

Thomas J. Mitchell was this day appointed and commissioned Notary Public, subject to the advice and consent of the Legislative Council at its next session.

B. F. Potts
Governor

Three Hundred Dollars Reward.

I, Benjamin F. Potts, Governor of Montana Territory, in pursuance of An Act to facilitate the conviction of robbers, approved February 16th A. D. 1877, do hereby offer a Standing Reward of Three Hundred Dollars ($300) for the arrest of each person engaged in the robbery of, or in attempt to rob any person or persons upon, or having in charge, in whole or in part, any stage-coach, wagon, railroad train or other conveyance, engaged at the time in carrying passengers or any private conveyance, within this State; the reward to be paid to the person or persons making the arrest, immediately upon the conviction of the person or persons so arrested; but no reward shall be paid except after such conviction.

Given under my hand, at the Capital, March 12th A. D. 1877.

B. F. Potts
Governor

Montana Territory
Executive Department } Advertisement:

Sealed Proposals for the maintenance of the Insane of the Territory.

Sealed Proposals will be received at this office until 12 o'clock, m. of the 20th day of March 1877, for the support, clothing and maintenance, per week, of the indigent insane of this Territory, for a period not to extend beyond the first day of March 1879.

Maintenance shall include medical treatment, and the treatment shall be of the same character that persons receive in the best regulated Insane Asylums of the States.

The undersigned [illegible]

and to annul the contract when made, and contract with another.

The clothing to be furnished shall be new and of good quality, and the buildings in which the insane are to be kept, well ventilated, and the grounds connected therewith ample for exercise, etc.

B. F. Potts
Governor

February 23. 1877.

The above advertisement was published for three weeks in the "Helena Independent", a newspaper of general circulation in the Territory of Montana.

March 20th 1877, the proposals for keeping the insane were opened in presence of Hon. J. K. Toole, District Attorney for the 3rd Judicial District and are as follows to wit:

Sister Josephine of St. Johns Hospital, Helena, proposes to maintain insane under the law and terms of advertisement at $8.50/100 per week, per capita in U.S. Currency.

Wm. Nostant, for temporary, insane persons at $15.00 per week per capita, above ten and not exceeding eighteen $12.00 per week per capita, and above eighteen, ten dollars per week per capita.

Believing the best interests of the territory will be promoted by the acceptance of the above bids, the same are hereby rejected.

Due consideration of bids as per terms of contract was entered into with Sister M. St. Michael of St. Johns Hospital to care, maintain and provide for and educate the indigent insane of the territory, at the rate of eight dollars per week per capita payable monthly in U.S. Currency by the territory.

Ordered: That Geo. T. Wolfe be and he is hereby appointed to the office of Sheriff in the place of Thomas Cantwell, deceased, for the unexpired term of the contract.

Dated 31st 1877. Bond given as above and approved, and filed with Territorial Treasurer.

Also article of agreement between B. F. Potts Governor and A. M. Whitehill Contractor for the keeping etc. of the insane and idiotic of the Territory until April 1st 1879.

The following named insane or idiotic persons have been placed at the

Roll of Prisoners Enlisted in Company C 2d Regt Cavalry of the Militia of Montana Territory:

	Name of Soldier	From what Co. Ter.	Residence when Enlisted	Since Dis.
1	Thomas Rehörhan	Jefferson Co	March 27th 1864	
2	Peter Miller	Lewis & Clarke Co	April 1st	
3	Jackson Green	" "	" " "	
4	Mike Murphy	" "	" " "	
5	Roswell Hawley	" "	" " "	
6	David M. Oldson	" "	" " "	
7	John M. Stinson	" "	" " "	
8	Floyd Keating	" "	" " "	
9	Philip Hijo	Deer Lodge Co	" 3 "	Discharged on trial Aug 6 1877
10	Thos W. Jones	" "	" " "	
Discharged 11	Christian Johnson	" "	" " "	Discharged on trial on June 14 77
12	George Arnold	Madison	" 4 "	
13	Lewis Bills	Missoula	" 15 "	Deserted Aug
14	John Towsley	" "	" " "	
15	Abraham George	Gallatin	" 20 "	
16	Rudolph Rordan	" "	" " "	
17	Geo. Thompson	Lewis & Clarke	March 21 "	Discharged Lost Horse in Salt Lake City Buffalo and Lost Horse at Virginia City
Lost Horse & Discharged	18 John Chinaman	Madison	" " "	Discharged
19	William Nichols	Beaverhead	May 18 "	
20	Nils Jorgensen	Deer Lodge Co	July 3rd "	
21	Harry Shirley	" "	" " "	
22	John Ledford	Madison Co	June 7 "	Deserted Oct 18
23	Zachariah Harper	Gallatin Co	July 26 "	
24	Lewis Ely	Madison Co	July 23 "	
25	Thomas Parker	Madison Co	Sept 19 "	
26	Milton Jory	Choteau Co	Sept. 24 "	
Discharged	27 Marion King	Lewis & Clarke	Oct 17 "	Discharged on May 4th 1878
28	John Doe Chinaman	Deer Lodge Co	" 20 "	
29	Charles Peabody	Lewis & Clarke	Nov 17 "	
30	Ole Christensen	Deer Lodge Co	Febry 4. 1878.	
31	H. Reed	Beaverhead County	April 12. 1878	
32	John White	" "	" 12. 1878	
33	Nik Cole	Deer Lodge Co	" 10 1878	
34	Richd. Ulacks	Meagher Co	May 1. 1878	
35	Mrs. Lavina D. Cade	Deer Lodge Co	June 1. 1878	
36	Giovanni Pacificatore	Deer Lodge Co.	June 1. 1878	

Transfd to Special P.
July 17th 1878

Telegram: U.P.R.R. Co. - New York, March 24th 1874

To Hon. B. F. Potts, Gov'r.

We have to decline aid offered in railroad act, owing principally to last provisions in Section 7 which applies to business from outside of territory and for all time; the aid would have been accepted and road built to Helena, the proposed terminus had details been satisfactory, as we fully the importance of extending road into Montana.

(Signed:) Jay Gould
Sidney Dillon
Elisha Atkins
F. L. Dexter
T. E. Atkins
Royal M. Bassett, Pres U.P.R.R.

Subsequently upon the refusal of Congress to grant the aid, a telegram then was issued from this office the following:

Proclamation

Montana Territory
Executive Department.

To the officers of the several counties and the electors of Montana Territory:

I, Benjamin F. Potts, Governor of said territory in pursuance of Sect. 9, of an Act to aid the construction of a railroad to Montana, approved February 16, 1873, do give notice that: Oliver Ames, R. Lathers, Sidney Dillon, Jay Gould, J. Gordon Dexter, T. Jefferson Coolidge, Royal M. Bassett, President of the U.P.R.R. Co., therein mentioned in the first section of said Act, did not on or before March 25th 1874, signify in writing to the Secretary of the Interior, as required in said act.

Therefore: An Election will be held on the 10th day of April as required by Section 15 of the aforesaid act.

In witness whereof I have hereunto set my hand this 2nd day of April A.D. 1874

B. F. Potts
Governor

Montana Territory
Executive Department

Helena, March 28th 1874

Frank C. Fallon, Esq of Philadelphia Pennsylvania, was this day appointed and commissioned a Commissioner of Deeds for Montana Territory, to reside in Philadelphia Penna, for the term of three years from date.

B. F. Potts
Governor

Montana Territory
Executive Department

Helena April 27th 1874

Henry T. Reed and John C. C. Thornton both of Deer Lodge County, were this day appointed and commissioned Notaries Public for the period of three years from and after date of qualification, subject to the advice and consent of the Legislative Council at its next session

B. F. Potts
Governor

Montana Territory
Executive Department

Helena, May 3rd 1874

By virtue of authority vested in me by law as Governor of said territory, I hereby appoint and commission A. Burchardt, H. Harris and D. W. Ringer Commissioners for the county of Custer in said territory. They will immediately qualify as such officers as the law requires.

B. F. Potts
Governor

Montana Territory
Executive Department

Helena May 3rd 1874

John V. Sidler was this day appointed and commissioned Notary Public subject to the advice and consent of the Legislative Council at its next session

B. F. Potts
Governor

Montana Territory
Executive Department

Helena May 14th 1877

Alexander Carmichael of Custer County was this day appointed and Commissioned Notary Public for the period of three years from February 10th 1877 by and with the advice and Consent of the Legislative Council

J. E. Callaway
Secty and Acting Governor

Montana Territory
Executive Department

Helena May 15th 1877

Henry S. Reed and John C. C. Thornton both of Deer Lodge County were this day appointed and Commissioned Notaries Public for the period of three years from and after date of qualification Subject to the advice and Consent of the Legislative Council at its next Session,

J. E. Callaway
Secty and acting Governor

Territory of Montana
Executive Department

Helena May 15th 1877

Frank A Woody of Missoula County was this day appointed and Commissioned Notary Public for the period of three years from January 16th A.D. 1877, by and with the advice of the Legislative Council

J. E. Callaway
Secty and acting Governor

Montana Territory
Executive Department

Helena May 15th 1877

John Murta of Gallatin County was this day appointed and Commissioned Notary Public for the period of three years from February 16th 1877, by and with the advice of the Legislative Council

J. E. Callaway
Secty and acting Governor

Montana Territory
Executive Department

Helena May 15th 1877.

Henry Addoms of Lewis and Clarke County was this day appointed and Commissioned Notary Public for the period of three years from and after date of Qualification Subject to the advice and Consent of the Legislative Council at its next Session,

J. Callaway
Secty and acting Governor

Montana Territory
Executive Department

Helena May 26 1877.

J. Paul Diver of the City of Philadelphia County of ~~Illin~~ Philadelphia and State of Pennsylvania was this day appointed and Commissioned a Commissioner of Deeds for Montana in the State of Pennsylvania, for the period of three years from date

Secty & acting Governor

Montana Territory.

Oath of Office.

I, James H. Mills, do solemnly swear that I have never voluntarily borne arms against the United States, since I have been a citizen thereof; that I have voluntarily given no aid, countenance, counsel, or encouragement to persons engaged in armed hostility thereto; that I have neither sought nor accepted nor attempted to exercise the functions of any office whatever, under any authority, or pretended authority in hostility to the United States; that I have not yielded a willing support to any pretended government, authority, power or Constitution within the United States, hostile or inimical thereto. And I do further swear that to best of my knowledge and ability I will support and defend the Constitution of the United States against all enemies foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation, or purpose of evasion, and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

Signed: James H. Mills

Sworn and subscribed to before me this first day of June A.D. 1877.

Lyman Knowles

Asso. Justice of the Supreme Court for Montana.

Montana Territory
Executive Department

Helena, June 5th 1877

Chas. H. Anderson of the city, county and state of New York was this day commissioned a Commissioner of Deeds for Montana in the State of New York, for the term of three years from date.

Attest James Sullivan
Secy.

B. F. Potts
Gov.

Montana Territory
Executive Department

Helena, June 6th 1877

B. H. Levy of the city of San Francisco State of California was this day commissioned a Commissioner

of Peace in the State of Colorado for the term of three years from date hereof.

Attest James Hume
Secretary

B. F. Potts
Governor

Montana Territory
Executive Department

Helena, June 14th 1877

George W. Graves of Clancy, Jefferson County was this day appointed and commissioned a Notary Public for the period of three years from date, subject to the advice and consent of the Legislative Council at its next session.

B. F. Potts
Governor

Attest James Hume
Secretary

Montana Territory
Executive Department

Helena, June 16th 1877

By virtue of the authority vested in me by law I hereby appoint Daniel H. Weston of Lewis & Clarke County, Montana, Territorial Treasurer for the period of two years from July 1st 1877, subject to the advice and consent of the Legislative Council at its next session. He will give bond in the amount required by the Secretary of the Territory.

B. F. Potts
Governor

Attest James Hume
Secretary

Montana Territory
Executive Department

Helena, June 20th 1877

Francis R. Hill of Blackfoot Place Fort Benton was this day appointed commissioned a Notary Public for the period of three years from date subject to the advice and consent of the Legislative Council at its next session.

B. F. Potts
Governor

Attest James Hume
Secretary

Telegram

Helena June 29th 1877.

To the President
Washington D. C.

Settlements in Western Montana seriously threatened by Nez-Perces Indians from Idaho settlers are fleeing from their homes in Bitter-Root Valley to Missoula for safety. We are organizing and arming the people for defence. More troops are needed at Missoula. Flatheads and other Indians seriously disaffected.

B. F. Potts
Governor

Telegram

Helena Montana June 29. 1877

to
Major Genl McDowell
San Francisco Cal.

More Indians retreated towards Montana. Great excitement in Western Montana. Flatheads and other Indians seriously disaffected. Serious trouble anticipated.

B. F. Potts
Governor of Montana

Telegram

Helena July 1st 1877

to
Genl McDowell
San Francisco

Charlos, Flathead chief, controlling two hundred fighting Indians has disappeared from Bitter Root Valley. Probably to join Joseph's band.

B. F. Potts
Governor

Telegram

Helena July 1st 1877

to
J. H. Mills
Secty. etc D.C.

Will people pay transportation for arms. How sent. Cant hold Territory. Send copies of McDowells telegrams to Missoula by mail.

B. F. Potts
Governor

Montana Territory
Executive Department.

Helena July 2nd 1897

Jno R. Dilles of Helena Lewis & Clarke County, was this day appointed and commissioned a Notary Public for the period of three years from date, subject to the advice and consent of the Legislative Council, at its next Session

Attest James Hennies
Secretary

B. F. Potts
Governor

Montana Territory
Executive Office

Helena July 5th 1897

John R. Quigley of Blackfoot, Deer Lodge Co., was this day appointed and commissioned a Notary Public for the period of three years from date, subject to the advice & consent of the Legislative Council, at its next session

Attest James Hennies
Secretary

B. F. Potts
Governor

Telegram

Helena July 3 1897

to
Major Genl McDowell
San Francisco, Cal

Charlos with Flatheads were on Big Hole near French Gulch, Montana Friday with effects, report seeking safety from Nez Perces, who threaten to kill them, unless they join them

B. F. Potts
Governor

Good Service Medal Rolls.

Helena Lewis & Clarke Co
Mon

To the Sheriffs of Missoula
Deer Lodge
Beaverhead } Counties

Sir:

You will cause to forward to this office forthwith a copy of the muster roll of each military organization in your county and the names and post-office addresses of the commissioned officers of the same.

You will also inform upon the officers the necessity of replenishing the ammunition. The amount

shall be issued for hunting or sporting purposes, ammunition cartridges should be in case of an engagement with the Indians. The guns must be kept clean and well oiled, inside and out, to prevent rusting. The guns must be returned in good order and the ammunition, or the party to whom they were issued must pay for the same.

You will promptly sign and return receipts for all arms and ammunition sent you.

Please furnish a copy of this letter to the commander of each military organization in your county.

By order of

P. F. Potts

Governor & Commander in Chief Montana Militia

Attest:
James Mills
Secretary

Head Quarters, Montana Militia
Helena, July 10th, 1877

General Order No. 1.

James H. Mills, Secretary of Montana is hereby designated Adjutant General on the staff of the Commander in Chief.

He will be obeyed and respected accordingly.

P. F. Potts

Gov'r & Comm. in Chief Montana Militia

Attest James Mills
Secretary

Head Quarters, Montana Militia
Helena, July 10th, 1877

General Order No. 2.

For the organization of companies of Montana Militia, subsequent to the issue of this order, the following rules and regulations will be observed:

Co officers and number of privates — Each company of Militia shall consist of one Captain, one First Lieutenant, one Second Lieutenant, one First Sergeant, and two Sergeants, three Corporals and not less than thirty nor more than sixty privates.

Officers have commissions — All officers will be commissioned by the Governor of Montana; the non commissioned officers will receive their warrants from the Captains of their respective companies.

Form of organization — Until otherwise ordered the form of organization will be as follows: On the enrollment of thirty or more men, of sixteen years or over, the following staff shall be ad-

ministered to them by any officer authorized to administer oaths in the Territory of Montana.

Oath — I, ——— ——— do solemnly swear (or affirm) that I will bear true faith and allegiance to the Territory of Montana; that I will serve it honestly and faithfully against all enemies whomsoever, and I will obey the orders of the Governor of Montana Territory and the orders of the officers appointed over me, according to the rules and regulations prescribed by the Commander-in-chief. So help me God.

Elections — The oath having been administered as above the company shall then proceed, 1st, to the election of a First Sergeant who shall keep the record of all elections; 2nd, to the election of a Captain; 3rd, to the election of a First Lieutenant; 4th, to election of a Second Lieutenant — the person in each instance receiving the highest number of votes to be declared duly elected. The Second and Third Sergeants and Corporals shall be appointed by the commissioned officers, the Captain approving the same.

Muster Rolls — On the organization being thus perfected the Commander of the company will cause duplicate Muster Rolls to be made out setting forth the names and surnames of the number of the enrollment, the officers in the order of their rank and the privates in alphabetical order, their ages, place of residence and date of enlistment. There shall also be attached a certificate signed by the officer administering the oath, that each officer and private named has taken the above oath.

Number of arms & ammunition — Upon receipt of such roll and certificate the Governor will order the Sheriff of the county in which said company is organized to issue to said company such number of guns and such amount of ammunition as are available and he may deem proper. On which the company officers will also be held responsible under the rules as pertaining to the Sheriff of the territory and duties of the same to the Sheriff when he shall demand them.

The date of organization and commission will date from the date of certificating of the Muster Roll as above.

By order of

B. F. Potts

Governor and Commander-in-Chief of the Montana Militia

James Miller
Adjutant and Adjt. Genl.

Montana Territory,
Executive Department.

In the matter of Pardon to James Thompson.

Whereas, at the February term 1874, of the District Court of Jefferson County, Montana Territory, James Thompson was convicted of the crime of assault with intent to murder and sentenced to confinement in the U. S. Penitentiary at Deer Lodge City for the period of seven years: And Whereas, Such representations have been made by W. W. Dixon, Esq., Hons. S. H. Langhorne, Wm. H. Clagett, Samuel Word, John C. Strober, Geo. H. Mitchell, Jas. M. Fish and 407 other citizens, that said James Thompson may with propriety be pardoned by the Executive authority of this territory.

Therefore by virtue of the authority vested in me as Governor by the Organic Act and the laws of said Territory, I hereby grant a full Pardon to said James Thompson and restore him to all his civil rights so far as Executive authority extends, upon the condition that he will depart from Montana Territory and never return to the same.

Given at Helena, Montana, July 18th A.D. 1877

B. F. Potts
Governor

Attest:
James Willis
Secretary of Montana

Condition: — I, James Thompson do voluntarily agree to depart from the Territory of Montana and never return to the same as required by the terms of my pardon from the Montana Penitentiary.

Deer Lodge, M. T. July 26th 1877. (Signed) James Thompson

Witnessed by:
J. M. Fish
Warden U. S. Penit. D. L.

Proclamation.

On the Field
Missoula, July 26. 1877

Whereas Montana Territory is invaded by hostile Indians from Idaho and there being less than fifty U. S. soldiers to oppose said Indians.

By virtue of the authority vested in me as Governor and Commander-in-Chief of the Montana Militia, I command that the organized volunteer militia of Missoula and Deer Lodge counties report forthwith to the commander-in-chief at Missoula for temporary duty with the United States forces now serving against the Indians in Western Montana. Said companies will be armed and equipped for service in the field. The undersigned is without authority to bind the United States or the Territory of Montana for supplies furnished volunteer companies while serving in the field, but will use every effort in his power to secure payment for supplies etc. from the Territory or the United States. Officers will be designated to receipt and receipt for supplies furnished.

Witness my hand.

B. F. Potts
Governor & Commander in Chief Montana Militia

James Hunter
Secty & Adjt. Genl.

Proclamation.

Deer Lodge, M. T.
July 31st 1877

To the citizens of Montana Territory:

There are now in the Nez Perce Indian country other certain Nez Perce Indians who have declared their intention and challenged the citizens of Idaho. Although ordered from General Sheridan's headquarters to be treated as hostiles, they were permitted to escape from the Lo Lo pass and recently in the Bitter Root Valley. These hostiles will undoubtedly attempt to induce other Indians of Montana. They are public enemies, them, it is our duty as good citizens to arrest and disarm all that we find. To countenance with them is treason and in case of a citizen demands that they shall be so dealt with.

In the absence of our militia law there was no proper organization or a sufficient force to the entrance of these hostiles within our domain. The circumstances demand that immediate steps be taken to suppress them by

PROCLAMATION.

A Call for 300 Mounted Men.

PROCLAMATION

DEER LODGE, M T July 31

To the citizens of Montana Territory

There are now in the Bitter Root Valley certain Nez Perce Indians who have perpetrated theft, murder and outrage upon the citizens of Idaho Although ordered from Gen Sheridan's headquarters to be treated as hostiles, they were permitted to escape from the Lo Lo Pass and encamp in the Bitter Root Valley These hostiles will soon attempt to pass through other portions of Montana They are public enemies whom it is our duty as good citizens to meet and fight until they surrender To compromise with them is cowardice, and the honor of Montana demands that they shall be fought down

In the absence of any militia law there was no proper organization of our people prior to the entrance of these hostiles within our domain The circumstances demand that immediate steps be taken to suppress them by co operating with the United States troops within striking distance of these Indians

Therefore, by virtue of the authority vested in me I hereby call for 300 Montana volunteers to organize at once under general order No 1 issued herewith and to report for duty at Deer Lodge City forthwith The exigencies of the case require that each man shall furnish his own horse and such arms and equipments as he can The men and companies to whom Territorial breech loading guns have been issued will organize and report at once for duty or return their arms to me for arming the others Subsistence will be furnished companies as they report for duty and until they are disbanded

By order of

B F POTTS Governor

and Commander in Chief Montana Militia

F H MILLS

Secretary and Adjutant General

GENERAL ORDER No 1

HEADQUARTERS MONTANA MILITIA

DEER LODGE CITY, AUG 1 1877

In organizing companies under the call for 300 mounted men in the proclamation of this date, each company of not exceeding forty men will elect one Captain and one Orderly Sergeant on organizing and report at Deer Lodge to the Commander in-Chief when such further organization as is necessary will be made Each man must be mounted Every volunteer having his own arms is requested to bring the same All going into the field will be armed with a breech loading gun The following oath will be administered to each volunteer on his being mustered in at these headquarters I — do solemnly swear, or affirm that I will bear true faith and allegiance to the Territory of Montana, that I will serve it honestly and faithfully against all enemies whomsoever, and that I will obey the orders of Montana Territory and the orders of the officers appointed over me according to the rules and regulations prescribed by the Commander in-Chief

The commander of the company will cause duplicate muster rolls to be made out setting forth the names and numbers of the members of the company, the officers in the order of their rank and the privates in alphabetical order their age, place of residence and date of enlistment There shall also be attached a certificate signed by the officer administering the oath that each officer and private named has taken the above oath

One of these rolls shall be transmitted to the Adjutant General and one retained by the First Sergeant

The following officers are hereby appointed on the staff of the Commander in Chief They will be obeyed accordingly

Chief of Ordnance R H Mason

Chief Quartermaster Peter Valton

Chief Commissary S E Larabie

Surgeon General—A H Mitchell

ating with the United States troops within striking distance of these Indians.

Therefore by virtue of the authority vested in me I hereby call for 300 Montana volunteers, to organize at once under General Order No. 4, issued herewith, and to report for duty at Deer Lodge City forthwith. The exigencies of the case require that each man shall furnish his own horse and such arms and equipments as he can. The persons and companies to whom territorial breech loading guns have been issued will organize and report at once for duty, or return their arms to me for arming the others. Subsistence will be furnished companies as they report to me and until they are disbanded.

By order of

B. F. Potts

Governor & Commander-in-Chief Mont. Militia.

James H. Mills
Recorder & Adjt General.

General Order No. 4.

Headquarters Montana Militia
Deer Lodge City 31. 18[illegible]

In organizing companies under the call for 300 men in the proclamation of this date, each company of not exceeding forty men will elect one Captain and one Lieutenant and Sergeant only, organizing, and report at Deer Lodge to the Commander-in-Chief, where such further organization as is necessary, will be made. Each man must be mounted. Every volunteer having his own arms is requested to bring the same. All going into the field, will be armed with a breech-loading gun. The following oath will be administered to each volunteer on his being mustered in at this headquarters. I, ——, do solemnly swear (or affirm) that I will bear true faith and allegiance to the Territory of Montana; that I will serve it honestly and faithfully against all enemies whomsoever, and that I will obey the orders of Montana Territory and the orders of the officers appointed over me, according to the rules and regulations prescribed by the Commander-in-Chief.

The commanders of the company will cause duplicate muster-rolls to be made out, setting forth the names and numbers of the members of the company; the officers in the order of their rank, and the privates in alphabetical order, ~~their age~~ place of residence and date of enlistment.

There shall also be attached a certificate signed by the officer administering the oath that each officer and private named has taken the above oath.

One of these rolls shall be transmitted to the Adjutant General and one retained by the First Sergeant.

The following offices are hereby appointed on the staff of the Commander-in-Chief. They will be obeyed accordingly:

Chief of Ordnance — R. N. Mason
Chief Quartermaster — Peter Valiton
Chief Commissary — F. E. Lacabie
Surgeon General — A. H. Mitchell

Territory of Montana
Executive Office

Helena August 6th 1877

Josiah M. Merrill of Philipsburg, Deer Lodge County, Montana Territory was this day appointed and commissioned a Notary Public, subject to the advice and consent of the Legislative Council at its next session, from date hereof.

B. F. Potts
Governor

Attest James Willis
Secretary

Territory of Montana
Executive Department

Helena August 6th 1877

Edward W. Francis of the city, county and State of New York was this day commissioned a Commissioner of Deeds for Montana in the State of New York for the term of three years from date.

B. F. Potts
Governor

Attest James Willis
Secretary

Montana Territory
Executive Department

Helena, M. T. August 6th 1877

Frank G. Sterling of Lewis & Clarke Co. was this day appointed and commissioned a Notary Public, subject to the advice and consent of the Legislative Council at its next session.

B. F.
Governor

Attest James Willis
Secretary

Oath of Office.

I, Theophilus Gaines, do solemnly swear that I have not borne arms against the United States since I have been a citizen thereof; that I have voluntarily given no aid, countenance, council or encouragement to persons in armed hostility thereto; that I have neither sought nor accepted nor attempted to exercise the function of any office whatever under any authority or pretended authority in hostility to the United States; that I have not yielded a voluntary support to any pretended government, authority, power or constitution within the United States, hostile or inimical thereto. And I do further swear that to the best of my knowledge and ability I will support and defend the Constitution of the United States against all enemies, foreign and domestic; and that I will bear true faith and allegiance to the same; that I take this obligation freely, and without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

(Signed) Theophilus Gaines

Sworn and subscribed to before me this 6th day of August A.D. 1877

Attest James Mills
Secretary

B.F. Potts
Governor

Montana Territory
Executive Department

Helena August 7th 1877

William E. Cullen of Lewis & Clarke County was this day appointed and commissioned a Notary Public, subject to the advice and consent of the Legislative council at its next session.

Attest James Mills
Secretary

B.F. Potts
Governor

Montana Territory
Executive Department

Helena August 8th, 1877

Alexander H. Hoarthen of Lewis & Clarke County was this day appointed and commissioned a Notary Public, subject to advice & consent of Legislative Council at its next session

B.F. Potts
Governor

James Mills

Montana Territory
Executive Department

Helena, August 9th 1874

Joseph B. Nones of the city, county and state of New York, was this day appointed and commissioned a Commissioner of Deeds for Montana in the State of New York.

attest James Hunter
Secretary

B. F. Potts
Governor

Montana Territory
Executive Department

Helena, October 19th 1874

Henry Bischoff of the city, county and state of New York, was this day commissioned a Commissioner of Deeds for Montana, in the State of New York

attest James Hunter
Secretary

B. F. Potts
Governor

Montana Territory
Executive Department

Helena, November 1st 1874

William T. McFarland of Lewis & Clarke Co. Montana, was this day appointed and commissioned a Notary Public subject to the advice and consent of the Legislative Council at its next session, for the term of three years from date

attest James Hunter
Secretary

B. F. Potts
Governor

Thanksgiving Day.

By the Governor. A Proclamation.

In other years records note the eternal basis of seasons to Thanksgiving one of peculiarly full fruitfulness, and blessed with the bounties of Heaven. Extraordinary rains calculated more to damage crops and withstand decades, nothing and the accident seemed might when explanation is required be the source of deviation of the Year. Yet all things are, wonderfully blessed as good and wealth, and over our enriched lands abundantly. It is eminently fitting that we should remain the bless witnesses of God's goodness to us

as a people shall again assemble, give thanks to the Great Ruler who has so shielded and blessed us in his continued care and guidance. In conformity to the day designated by the President of the United States, I do therefore recommend that Thursday the 29th day of November 1877 be observed by the people of Montana as a day of Thanksgiving, Prayer and Rest and that putting aside their business, labors and pursuits they assemble in their respective places of worship and make grateful acknowledgments to Almighty God.

In witness whereof I have hereunto set my hand and caused the Great Seal of the Territory to be affixed.

Seal

Done at Helena, the Capital, this sixth day of November in the Year of our Lord One Thousand eight hundred and seventy seven and of the Independence of the United States the One Hundred and Second.

Attest James Mills
Secretary

B. F. Potts
Governor

Montana Territory
Executive Department

Helena November 30th 1877

George N. Smith of Custer County, Montana was this day appointed and commissioned a Notary Public, subject to the advice and consent of the Legislative Council at its ninth Session, for the term of three years from date.

Attest James Mills
Secretary

B. F. Potts
Governor

Montana Territory
Executive Department

Helena November 30th 1877

Thomas J. Kent of the city of Philadelphia State of Pennsylvania was this day appointed and commissioned a Commissioner of Deeds for Montana in the State of Pennsylvania for the term of three years from date.

Attest James Mills
Secretary

B. F. Potts
Governor

Oath of Office.

I, James H. Mills do solemnly swear that I have never voluntarily borne arms against the United States since I have been a citizen thereof; that I have voluntarily given no aid, countenance, council, or encouragement to persons engaged in armed hostility thereto; that I have neither sought, nor accepted nor attempted to exercise the functions of any office whatever, under any authority or pretended authority, in hostility to the United States; that I have not yielded a voluntary support to any pretended government, authority, power or constitution within the United States, hostile or inimical thereto. And I further swear that to the best of my knowledge and ability I will support and defend the Constitution of the United States against all enemies foreign and domestic and that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

(Signed) James H. Mills

Sworn to and subscribed before me this third day of December A.D. 1844

Miriam Knowles

Associate Justice of Supreme Court of Hawaii

Oath of Office.

I, Robert S. Anderson do solemnly swear that I have never voluntarily borne arms against the United States since I have been a citizen thereof; that I have voluntarily given no aid, countenance, council or encouragement to persons engaged in armed hostility thereto that I have neither sought, nor accepted, (nor attempted) to exercise the functions of any office whatsoever under any authority or pretended authority in hostility to the United States; that I have not yielded a voluntary support to any pretended government, authority, power or constitution within the United States, hostile or inimical thereto. And I do further swear that to the best of my knowledge and ability I will support and defend the constitution of the United States against all enemies foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely without any mental reservation or purpose of evasion

and that I will well and faithfully discharge the duties of the office on which I am about to enter; So help me God

(Signed) Robert S. Anderson

Sworn to before and subscribed in my presence this 5th day of December 1897

Decius S. Wade
Chief Justice of Montana

Montana Territory
Executive Department

Helena, December 22nd 1897

John Russell Young was this day appointed and commissioned a Commissioner to represent the interests of Montana Territory at the International Industrial Exposition at Paris, France in 1878.

B. F. Pitch
Governor

Attest:
James Mills
Secretary.

Territory of Montana
Executive Department

Helena, M.T. January 5th 1878

By virtue of the authority vested in me by the Organic Act of Montana as Secretary and Acting Governor of said Territory I hereby nominate, and, by and with the advice and consent of the Legislative Council at its next Session, do appoint David H. Bechtent of Lewis & Clarke County to be Territorial Auditor for two years from date of this appointment unless sooner revoked by the Governor of Montana for the time being.

James H. Mills
Secretary and Acting Governor

Territory of Montana
Executive Department

Helena, January 12th 1878

Junius G. Sanders of Jefferson County was this day appointed and commissioned a Notary Public, subject to the advice and consent of the Legislative Council at its next Session, for the term of three years from date.

James H. Mills
Secretary and Acting Governor

Territory of Montana
Executive Department

Helena, M.T. January 15. 1878

By virtue of the authority vested in me by the Organic Act and in accordance with the laws of this Territory as Secretary and Acting Governor of said Territory I hereby nominate, and by and with the advice and consent of the Legislative Council at its next Session do appoint Clark Wright of Lewis & Clark County to be Territorial Superintendent of Public Instruction for two years from the date of this appointment, unless it is sooner revoked by the Governor of Montana for the time being.

James H. Mills
Secretary & Acting Governor.

Territory of Montana
Executive Department

Helena January 18th 1878

Edward Of Knight was this day appointed and commissioned as Notary Public for the term of three years from date hereof, subject to the advice and consent of the Legislative Council at its next session

James Mills
Secretary and Acting Governor

In the matter of
Respite of
Michael McAndrew

To the Governor of Montana Territory:

We respectfully submit that we are about to sue out a Writ of Error from the Supreme Court of Montana Ter. direct to the Supreme Court of the United States, in the matter of the application of Michael McAndrew for a writ of Habeas Corpus. He is now sentenced to be hung on the 25th of this month and will be unless executive stayed by the Executive power. We contend, that under the Organic Act of Montana Page 20. Cod. Stat. Sec. 9 that he is thereby guaranteed a constitutional right of appeal in such a case; and that such right existing, he cannot be deprived of it by the Organic Law, the Executive should not deny him of such right by permitting executions to be made in such cases. Where, and the effect would be to nullify a certain right of appeal in such a case and then revoking him solely the power of the appeal?

We further submit that our case not appeal to the Court for which the criminal was convicted, for the reason that the said Court is not now in session and there is no provision made for the judge of the Court to act. See Sec. 378. P. 246. Cod. Stat.

We authority for the Governor to act as provided in Section twelve above referred to.

Forbis & Hopkins
Att's for Appellant

Dated Helena Jan. 21. 1878

Territory of Montana
Executive Office
Helena, M. T. January 21. 1878

Hon. R. S. Anderson
U. S. District Attorney
Helena, M. T.

Sir — I hand you herewith a paper presented by the Attorneys of Michael McAndrew, now under sentence of death, claiming the constitutional right of their client to a stay of proceedings pending their appeal of the case to the Supreme Court of the United States. I respectfully ask your early examination of the points raised and given determination in writing thereon. — I am

Very respectfully Yours
James Mills
Secretary and Acting Governor

Helena, M. T.
January 22nd 1878

Hon. Jas. H. Mills
Secretary & Acting Governor
Sir:

In answer to your communication of date Jan'y 21st 1878 asking my examination and opinion in writing on the question submitted to you by the attorneys of Michael McAndrew, I beg to state that the 20th day of the present month is the time set for the execution of the Executive of Montana has the legal right to grant a stay of proceedings in the case of the said McAndrew, while proceedings are being had to obtain the case from the decision of the Supreme Court of Montana to the U. S. Supreme Court. It is to refer your Excellency to page 337 of the Revised Statutes of the United States, Section 1909, applicable to Montana. The language of the statute is plain and in my opinion admits of no doubt that the defendant McAndrew has the legal right of an appeal to the Supreme Court of the United States, provided the justice of the case demands it. The language of said section referred to, is in substance the same as in section 19, page 20 of the revised act of Montana. In cases like the one under consideration in my opinion the Executive

is clothed with the authority to suspend the sentence of execution, but in exercising this right the Executive must be satisfied, upon good cause shown, whether it is right to do it under the codified laws of Montana page 246. Sect. 378.

Whether or not a sufficient cause exists for Executive interference, will solely upon you to decide. It is a question of great importance upon me to decide, Whether or not the ends of justice will be unnecessarily subserved by a stay of proceedings in this case. With perfect confidence that the questions involved in this case will be decided by your Excellency judiciously,

I have the honor to be
Very Respectfully
Your obt Svt
R. E. Anderson
His Excy Joel Hartman

Territory of Montana
Executive Office
Helena, M.T. Jany. 22nd 1878

Joseph K. Toole Esq
Dist. Atty. 3rd Jud. Dist. Montana
Helena, M.T.

Sir: I hand you herewith a letter addressed to the Executive by the attorneys of Michael McAndrew, now under sentence of death, claiming the constitutional right of this Territory to a stay of proceedings pending the appeal of the case to the Supreme Court of the United States, and respectfully request your opinion and your observations in writing thereon. Same

Respectfully Yours
James Hills
Secretary and Acting Governor

District Attorneys Office
Helena Montana Jany 22. 1878

Dear Sir

I am in receipt of your letter of even date herewith enclosing the application of the attorneys of Michael McAndrew for a stay of proceedings, pending

his appeal and requesting my opinion as to his right to the same.

The application shows that the petitioners are about to sue out of the Supreme Court a Writ of Error on behalf of Michael McFadden to the Supreme Court of the United States. An examination of the record in that case discloses that such a writ has been sued out, and allowed by the Supreme Court of the Territory, and this seems to be authorized by Sec. 9 of the Organic Act, Code Stat. p. 20, also Sil. 1909, pp. 337. Rev. Stat. U.S. The right of appeal in cases involving the question of personal freedom does not necessarily imply a stay of proceedings, but in Capital Cases the Legislature has provided that "for good cause shown" the Court in which the conviction is had, or the Governor may postpone the time or suspend the execution of any criminal sentenced to the punishment of death, and no other court or officer shall have such authority, except in the cases and in the manner hereinafter provided. Sec. 378 Codified Stat. pp. 246. — It will be seen from this, that it is within the Executive power to grant the application of the petitioners "for good cause shown". In a similar case, where a stay of execution of sentence was allowed for "sufficient cause shown" the Court said: "There are many cases no doubt where it is necessary and proper to suspend the execution of the final judgment for a reasonable time, the prisoner has been convicted, between the judgment and the award of execution, or in order to give time to appeal to the Executive for a pardon, and special cases where the accused and prosecuted of such cause are rendered under the wind of the Court."

1. Bishop Crim. Procd. Sec. 880.
2. Sneed 232: 235. — Mont. v. Seg. 204.

We are not conversant with the justice of the case, now with and the grounds upon which petitioners rely and asks to grant Your Excellency to the above reasons as a guide in arriving at what ought to be done in the premises.

It is idle to say that in this case the day of execution being fixed for the 25th of the present month) it would be impossible to carry the accused upon appeal before the execution, unless sentence is stayed, so as to make the appeal available to

the defendant.)

Very Respectfully
Jos K. Toole
Dist. Atty.

Hon. Jas M. Mills
Secretary and Acting Governor.

Territory of Montana
Executive Office
Helena, M.T. January 23rd 1878

To
Allen M. Easterly
Sheriff of Jefferson County Montana Territory:

Whereas, you have been in your custody one Michael McAndrew under and by virtue of a warrant issued out of the District Court of the First Judicial District within and for Jefferson County, Montana Territory commanding you to execute the said Michael McAndrew by hanging him by the neck until dead on the twenty-fifth day of January A.D. 1878 between the hours of 10 o'clock A.M. and 3 o'clock P.M. of said day, and

Whereas: It further appears to me that the said McAndrew has filed an application in the Supreme Court of Montana for a writ of habeas corpus, which said writ was by said Court denied, and

Whereas the said McAndrew has sued out and been allowed a Writ of Error from the Supreme Court of the Territory of Montana to the Supreme Court of the United States, and

Whereas, good cause has been shown to me pertaining the time of your execution of the said McAndrew, that his said Writ of Error would be unavailable to him unless execution of the sentence is postponed during the time he is prosecuting the same, and

Whereas: The Writ of Error in said proceeding of the said McAndrew was had in not more in session, and

Whereas: The power to suspend execution of the said sentence is not vested in the Judge of said Court or any other person or tribunal except the Governor.

Now Therefore, I, James M. Mills Secretary and Acting Governor of Montana Territory, by virtue of the power and authority vested in me by law under Section 378, page 246, Codified

Statutes of Montana Territory, do command you, the said Sheriff of said County, to refrain and desist from executing the said Michael McAndrew as in said Warrant at the time therein provided.

And the said execution of said sentence is hereby suspended and prolonged until the first day of March A.D. 1878 on which day, between the hours of 10 o'clock A.M. and 3 o'clock P.M. you will cause the said execution of the said McAndrew as directed by said Warrant to be had in the manner and form therein directed.

In witness whereof I have hereunto set my hand and affixed the Great Seal of the Territory of Montana this twenty third day of January A.D. 1878

James Mills
Secretary & Acting Governor

Territory of Montana
Executive Office
Helena, M.T. January 23rd 1878

Received of James M. Mills, Secretary and Acting Governor of Montana at the Executive Office in Helena M.T. at 11 o'clock A.M. Jan. 23rd A.D. 1878, the Original Receipt of the Sentence of death in the case of the Territory vs. Michael McAndrew directed to Allen M. Easteddy, Sheriff of Jefferson County M.T. to be delivered forthwith and a receipt taken therefor from said Sheriff and returned to this office.

John A. Creighton
Sec'y. By J. H. Meredith for the Sec'y of Ter.

Received at Radersburgh Jefferson County, Montana Territory, this 23rd day of January 1878 of John T. Beattie, Deputy U.S. Marshal, the original Receipt of the Sentence of death against Michael McAndrew, lately convicted in the First Judicial District Court for the County of Jefferson M.T. at 4 o'clock P.M.

Signed A. M. Easteddy
Sheriff of Jefferson Co. M.T.

Territory of Montana }
Executive Department }

In the matter of Pardon
to Chastin E. Humphreys

Whereas in the Justice Court of Silver Bow Township, Deer Lodge County, Montana Territory, before Robert Wiles, a Justice of the Peace on the 1st day of January A.D. 1878, Chastin E. Humphreys was convicted, of the crime of Assault and Battery upon his wife and sentenced to confinement in the Common Jail of Deer Lodge County for the period of Six months.

And Whereas, Such representations have been made by his wife Viana Humphreys, the prosecuting District Attorney and 221 other citizens that the said Chastin E. Humphreys may with propriety be pardoned by the Executive authority of this Territory:

Therefore by Virtue of the authority vested in me as Governor by the Organic Act and the laws of said Territory I hereby grant a full pardon to said Chastin E. Humphreys, and restore him to all of his civil rights so far as Executive authority extends, under the Condition marked "A", signed by him and hereunto attached.

In Testimony whereof I have set my hand and caused the great Seal of the Territory to be affixed.

Seal

Done at Helena, the capital of said Territory this 26th day of February A.D. 1878 and of the Independence of the United States the one hundred and second.

B. F. Potts
Governor

Attest:
James Mills
Secretary

"A" Condition: I Chastin E. Humphreys voluntarily accept the condition of the foregoing pardon and bind myself to totaly abstain from the use of Intoxicating beverages for the period of two years from date hereof under the penalty that of being arrested and returned to the Common Jail of Deer Lodge County if I violate the condition of this pardon.

Given under my hand at Deer Lodge this 28th day of February 1878

(Signed) Chastine E. Humphreys

Attest
James Mills

Territory of Montana
Executive Department

Helena, February 2nd 1878

James Ross Clark, of Butte, was this day appointed and commissioned a Notary Public for the term of three years from date, subject to advice and consent of the Legislative Council at its next Session.

B. F. Potts
Governor

Attest.
James Mills
Secretary.

Territory of Montana
Executive Department

Helena, March 9th 1878

Caleb E. Irwin, of Butte, Deer Lodge County, was this day appointed and commissioned a Notary Public for the term of three years from March 6th 1878, subject to the advice and consent of the Legislative Council at its next session.

B. F. Potts
Governor

Attest:
James Mills
Secretary.

Territory of Montana
Executive Department

Helena March 12th 1878

P. G. Cardwell of Helena was this day appointed and commissioned a Notary Public for the term of three years from March 12th 1878, subject to the advice and consent of the Legislative Council at its next Session.

B. F. Potts
Governor

Attest
James Mills
Secretary

Territory of Montana
Executive Department

Helena March 9th 1878

Geo. F. Marshall of Helena was this day appointed and commissioned a Notary Public for the term of 3 years from March 12th 1878 subject to the advice and consent of the Legislative Council at its next session.

B. F. Potts
Governor

Attest James Mills
Secretary

Montana Territory
Executive Department

Helena, March 25th 1878

Henry E. Garrard of the city of Philadelphia, was this day appointed and commissioned a Commissioner of Deeds for the state of Pennsylvania for the term of three years from date.

B. F. Potts
Governor

Attest
James Mills
Secretary.

Montana Territory
Executive Department

Helena, March 26th 1878

Conformed

Massena Bullard was this day commissioned a Notary Public for the term of three years from Jan. 26. 1877

B. F. Potts
Governor

Attest
James Mills
Secretary

Montana Territory
Executive Department

Helena, April 3rd 1878

Dr. R. M. Whitfoot was this day appointed and commissioned an Honorary Commissioner to represent the interests of Montana at the International Industrial Exposition at Paris, France in 1878.

B. F. Potts
Governor

Attest:
James Mills
Secretary.

Oath of Office

I Alexander C. Colton do solemnly swear that I have never voluntarily borne arms against the United States since I have been a citizen thereof; that I have not voluntarily given aid, countenance, counsel or encouragement to persons engaged in armed hostility thereto; that I have neither sought nor accepted nor attempted to exercise the functions of any office whatever under any authority or pretended authority in hostility to the United States. That I have not yielded a voluntary support to any pretended government, authority, power or constitution within the

United States hostile or inimical thereto.
And I do further solemnly swear that I will faithfully execute all lawful precepts directed to the Marshal of the District of Montana, under the authority of the United States, and true return make, and in all things well and truly, and without malice or partiality, perform the duties of the office of Marshal of the District of Montana, during my continuance in said office, and to take only my lawfull fees.
So help me God.

Alexander C. Botkin

Sworn to before me and subscribed in my presence this 9th day of April 1878

Decius S. Wade
Chief Justice of Montana

Montana Territory
Executive Department

Helena May 17th 1878

George B. Foote was this day appointed and commissioned a Notary Public for the term of three years, subject to the advice and consent of the Legislative Council at its next Session.

Attest:
James Neville
Secretary.

B. F. Potts
Governor

Montana Territory
Executive Department

In the matter of
Pardon
to John McDonald

Whereas at the October term of the 1st District Court 1877, held in and for Gallatin County Montana Territory, John McDonald was convicted of the crime of assault with intent to kill and sentenced to confinement in the United States Penitentiary at Detroit City for the period of one year:
And Whereas such representations have been made by Hon. Henry N. Blake, Dist. Judge who tried said case, Hon. J. T. Strain, District Attorney and 25 other citizens, that said John McDonald may with propriety be pardoned by the Executive authority of this Territory; and because of said McDonalds uniform good conduct during

— his —

imprisonment.

Therefore By Virtue of authority vested in me as Governor by the Organic Act and the laws of said Territory, I hereby grant a full Pardon to said John McDonald and restore him to all of his civil rights so far as Executive authority extends.

In testimony whereof I have set my hand and caused the Great Seal of the Territory of Montana to be affixed

Done at Helena, the capital of said Territory this eighteenth day of May A.D. 1878 and of the Independence of the United States the 102nd

Attest:
James Mills
Secretary.

B.F. Potts
Governor

Montana Territory
Executive Department

Helena, May 20th 1878

Chapman, S. Chadot of St. Louis was this day appointed and commissioned a Commissioner of Deeds for Montana in and for the State of Missouri for the term of three years from date

B.F. Potts
Governor

Attest:
James Mills
Secretary.

Montana Territory
Executive Department

Helena June 3rd 1878

A. P. Warren of Miles City Custer County, was this day appointed and commissioned a Notary Public for this Territory, for the period of three years from this date subject to the advice and consent of the Legislative Council at the next session

Attest
James Mills,
Secretary.

B.F. Potts
Governor

Montana Territory
Executive Department

Helena June 3rd 1878

Richard Lockey of Lewis & Clarke County was this day appointed and commissioned a Notary Public for the Territory for the period of three years from date, subject to advice and consent of the next Legislative Council

Attest
James Mills
Secretary

B. F. Potts
Governor

United States of America }
Territory of Montana }

I, Benjamin F. Potts, do solemnly swear that I have not been a traitor against the United States since I have been a citizen thereof; that I have voluntarily given no aid, countenance, counsel or encouragement to any person in armed hostility thereto; that I have neither sought nor accepted, nor attempted to exercise the functions of any office whatever under any authority or pretended authority in hostility to the United States; that I have not yielded voluntary support to any pretended government, authority, power, or constitution within the United States hostile to or inimical thereto.

And I do further swear that to the best of my knowledge and ability I will support and defend the Constitution of the United States against all enemies, foreign and domestic, and that I will bear true faith and allegiance to the same; that I take this obligation freely without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the office on which I am about to enter.

So help me God.

(Signed) Benjamin F. Potts

Sworn to and subscribed in my presence this third day of June A.D. 1878.

(Signed) Hiram S. Hale,
Chief Justice of Montana

Montana Territory
Executive Department

Helena July 12th 1878

Philip H. Coyne, of Chicago, was this day re-appointed and commissioned a Commissioner of Deeds for Montana in and for the State of Illinois for the term of three years from date.

B.F. Potts
Governor.

Attest:
James Mills
Secretary.

Montana Territory
Executive Department

Helena, July 12th 1878

Ernest Jordan, of Silverton, Deer Lodge county, was, on the 8th day of July, appointed a Notary Public for the term of three years from said 8th day of July A.D. 1878, subject to the advice and consent of the Legislative Council at its next session.

B.F. Potts
Governor.

Attest:
James Mills
Secretary.

Montana Territory
Executive Department

Helena, July 13th 1878

C. O. Ewing of Lewis and Clarke County was this day appointed and commissioned a Notary Public for the term of three years from the 6th day of July, A.D. 1878, subject to the advice and consent of the Legislative Council at its next session

B.F. Potts
Governor

Attest:
James Mills
Secretary.

Montana Territory
Executive Department

Helena July 13th 1878

Donald Root of Lewis and Clarke County, was this day appointed and commissioned a Notary Public for the Territory for a period of three years from this date, subject to the advice and consent of the Legislative Council at its next session.

B.F. Potts
Governor

Attest:
James Mills

Circular:

Montana Territory.
Executive Department
Helena, July 23d, 1878.

No insane or idiotic person shall be admitted into the Territorial Insane Asylum at the expense of the Territory except on the Warrant of the Governor.

No Warrant will be issued for the admission of insane or idiotic persons into the Asylum until there is filed in the Executive Department an affidavit of some reputable physician that the person named is insane, stating how long he or she has been insane, the character of the treatment and the cause of the insanity. Also a certificate of the Chairman of the Board of County Commissioners of the County where such insane person has a legal residence, that he or she is indigent and that the County will furnish a new suit of clothes to such insane person when he or she is sent to the Asylum.

The transportation of insane or idiotic persons from the County of his or her residence must be paid by the County where such person or persons have a legal residence.

Attest. James Mills
Secretary

B. F. Potts
Governor

Montana Territory }
Executive Department }

Helena, July 25, 1878.

Jeremiah B Wilcox of Deer Lodge County, was this day appointed and commissioned a Notary Public, for the period of three years from date, subject to the advice and consent of the Legislative Council at its next session.

Attest —
James Mills
Secretary.

B. F. Potts
Governor

Montana Territory }
Executive Department }

Helena, July 29, 1878.

Ira M. Swartz of Lewis and Clarke County, was this day appointed and commissioned a Notary Public for the period of three years from date, subject to the advice and consent of the Legislative Council at its next session

Attest:
James Mills

B. F. Potts

Montana Territory,
Executive Department.

In the matter of Pardon to S. J. Perkins. Whereas, at the June term of the 3rd Judicial District Court, 1875, held in and for Choteau County, Montana Territory, S. J. Perkins was convicted of the crime of Assault with intent to do murder, and sentenced to confinement in the United States Penitentiary at Deer Lodge City for the period of five years:

And Whereas, such representations have been made by Hon. L. S. Wade, Chief Justice, Wm. F. Wheeler, Marshal, Joseph K. Toole, Atty 3rd Jud. Dist. of Montana, and twelve other citizens that said S. J. Perkins may with propriety be pardoned by the Executive authority of this Territory:

Therefore by virtue of the authority vested in me as Governor by the Organic Act and the laws of said Territory I hereby grant a full pardon to said S. J. Perkins, and restore him to all of his civil rights so far as my Executive authority extends upon the condition hereto annexed marked "A"

Given under my hand, at Helena, Montana this 23d day of July A.D. 1878.

B. F. Potts
Governor

Attest:
James Mills
Secretary.

Condition "A" — I, S. J. Perkins, do hereby voluntarily agree and bind myself to depart from the Territory of Montana, and never to return to the same, as required by the terms of my pardon from the Penitentiary of Montana.

(Signed)
Deer Lodge, Montana 1878

Attest: James Mills

Montana Territory,
Executive Department.

Helena, August 5, 1878.

Thomas J. Baker of Deer Lodge County, was this day appointed and commissioned a Notary Public for a period of two years from this date subject to the advice and consent of the Legislative Assembly at its next session

B. F. Potts
Governor

Attest:
James Mills

Telegram:

Helena, August 5th, 1878.

To Hon Carl Schurz,
Washington D.C.:

Ten Dog with his Indians from Lemhi are en route to Buffalo on Judith Basin, and Macleod's are without ammunition. See letter of 22d ultimo. Ammunition should be issued by 15th, if at all

Attest James Willis
Secretary

B F Potts
Governor

Montana Territory,
Executive Department }

Helena August 26th 1878.

John W. Robinson of Deer Lodge County, was this day appointed and commissioned a Notary Public for the period of three years from date hereof subject to the advice and consent of the Legislative Council at its next session.

B F Potts
Governor

Attest James Willis
Secretary.

Montana Territory,
Executive Department }

Helena, August 27th 1878.

Clayton Jackson of the City of New York, was this day appointed and commissioned a Commissioner of Deeds for the Territory of Montana in the State of New York for the term of three years from date

B F Potts
Governor

Attest
James Willis
Secretary

Montana Territory
Executive Department }

Helena September 10th 1878

Salton Cameron of Deer Lodge County was this day appointed and commissioned a Notary Public for the period of Three Years from date hereof subject to the advice and consent of the Legislative Council at its next session

Attest
James Willis

B F Potts
Governor

Montana Territory
Executive Department } Helena October 4th 1878

Andrew J. Smith of Lewis & Clarke County was this day appointed and commissioned a Notary Public for the period of three years from date hereof subject to the advice and consent of the Legislative Council at its next session

Attest
James H. Mills
Secretary

B. F. Potts
Governor

Montana Territory
Executive Department } Helena October 8th 1878

F. George Heldt of Lewis & Clarke County was this day appointed and commissioned a Notary Public for the period of three years from this date subject to the advice and consent of the Legislative Council at its next session

Attest
James H. Mills
Secretary

B. F. Potts
Governor

Montana Territory
Executive Department } It has been made to appear to me by the affidavit of Dr. W. L. Stub that one Robert H. Williams of the County of Lewis & Clark and Territory of Montana is insane and indigent.

I have therefore this day issued a Warrant to the Sheriff of said County to forthwith transfer Robert H. Williams from Helena to the Asylum at the Hot Springs, Deer Lodge County and deliver him to Dr. A. H. Mitchell the Contractor for the maintainance of the Territorial Insane.

Attest
James H. Mills
Secretary

Helena M. T. October 9th 1878
B. F. Potts
Governor

To the People of Montana

The fatal visitation of the Yellow Fever plague has made Death master of many of the cities and towns of the Southern States. The disease has spread so rapidly and become so fatal that whole towns are stricken and helpless. The dead remain unburied, the stricken ones are without nurses or nourishment.

The appeal comes to us for help. The people of Montana are blessed with health and plenty, and I appeal to you to give with an unsparing hand.

I beg that Clergymen of all denominations appeal to their respective Congregations for aid, and I respectfully request all postmasters and County officers throughout the Territory to solicit, collect and forward all sums to Hon. D. H. Weston, Territorial Treasurer, who will transmit the same to the proper committees for distribution to the sufferers. Let all contribute something for the cause of humanity.

B. F. Potts
Governor

Attest James H. Mills, Secretary

Helena Sept. 7. 1878

Montana Territory
Executive Department

Helena October 19. 1878

Louis Rotwitt of Meagher County was this day appointed and commissioned a Notary Public for the period of three years from this date subject to the advice and consent of the Legislative Council at its next session.

B. F. Potts
Governor

Attest
James H. Mills
Secretary

Montana Territory
Executive Department

Helena October 21. 1878

Isaac I. Lewis of Deer Lodge County was this day appointed and commissioned a Notary Public for the period of three years from this date subject to the advice and consent of the Legislative Assembly at its next Session

B. F. Potts
Governor

attest
James H. Mills
Secretary

Territory of Montana
Executive Department

Helena August 25th 1878

William Chumasero of Lewis & Clarke County was this day appointed and commissioned a Notary Public for the period of three years from date hereof subject to the advice and consent of the Legislative Council at its next session

Attest
James H Mills
Secretary

B. F. Potts
Governor

Territory of Montana
Executive Department

The Requisition of the Governor of Pennsylvania having been filed in this office requesting the surrender of Barclay J. Smith, a fugitive from Justice of the said State of Pennsylvania charged with the crime of Embezzlement, a warrant was this day issued to Hon. A. C. Botkin U.S. Marshall for the District of Montana for the apprehension of the said Barclay J. Smith and his delivery to Joseph Rue Esq. the Agent of the Governor of the said State of Pennsylvania to be conveyed by him to the said State to be tried for the crime charged and the said Marshal is to make due return to this office of his proceedings thereon

Helena, Montana November 6th 1878

Attest.
James H Mills
Secretary

B. F. Potts
Governor

Territory of Montana
Executive Department

Helena November 7th 1878

Patrick Talent of Deer Lodge County was this day appointed and commissioned a Notary Public for the period of three years from date hereof subject to the advice and consent of the Legislative Council at its next Session

Attest
James H Mills Secretary

B. F. Potts, Governor

Territory of Montana
Executive Department }
Helena November 9. 1878

William Gaddis of Meagher County was this day appointed and commissioned a Notary Public for the period of three years from date hereof subject to the advice and consent of the Legislative Council at its next session

Attest
James Mills
Secretary

B. F. Potts
Governor

Thanksgiving Proclamation.

In the name and by the authority of the Territory of Montana,

Another harvest season has returned, when the people of Montana should, with thankful hearts, make known to the Bountiful Giver of all good their gratitude for the many blessings they have enjoyed during the closing year. The Father of all mercies, whose power is without limit and whose loving kindness for his people is everlasting, invites the people to make known their wants to Him. To perpetuate the custom of the early fathers in observing a day of thanksgiving and praise near the close of each year, and in conformity to the Proclamation of the President of the United States, I hereby appoint Thursday, November 28th, A.D. 1878 as a day of thanksgiving and prayer to Almighty God for His blessings upon our Territory and Nation.

I do earnestly invite the people of Montana to abstain on that day from their usual secular labors, and remember, with heartfelt thanks, the exhibition of God's goodness towards them during the passing year; to praise God for giving them health and rewarding the industrious; for the moral, social and intellectual advancement of the people, which elevates and purifies the society in which we dwell; for that living faith in the promises of Almighty God that makes all men better and enables the poor and stricken ones to look up from darkness which envelopes them to the light of an immortal life.

In witness whereof I have hereunto set my hand and caused the seal of the Territory to be affixed.

Done at the City of Helena, this the 11th day of November, in the year of our Lord one thousand eight hundred and seventy eight, and of the independence of the United States of America the one hundred and third.

By the Governor

James Mills Secretary B. F. Potts

Seal

In the matter of the pardon of George W. Bostwick } Helena November 21st 1878

A petition signed by Hon. D. S. Wade, Chief Justice of the Supreme Court of Montana, Hon. R. S. Anderson, United States District Attorney, Hon. William Chumasero, the Citizens of Helena who suffered from the forgeries of said Bostwick and the certificates of Physicians and other Citizens showing the temporary insanity of said Bostwick, were this day filed in the Executive Department

Attest

James Mills
Secretary

B. F. Potts
Governor

In the matter of the pardon of George W. Bostwick } Whereas at the November term of the District Court 1878 held in the county of Lewis and Clarke, Montana Territory, George W. Bostwick was convicted of the crime of forgery and sentenced to confinement in the United States Penitentiary at Deer Lodge for the period of one year, and whereas such representations have been made by Hon. D. S. Wade, Chief Justice, Hon S. K. Toole, District Attorney, the Citizens of Helena whose paper was forged, and Dr. Thompson and others of Salt Lake City, Utah Territory, that the said George W. Bostwick may with propriety be pardoned by the Executive authority of this Territory

Therefore by virtue of the authority vested in me as Governor by the Organic Act and the Laws of this Territory, I hereby grant full pardon to the said George M. Bostwick and restore him to all his civil rights so far as Executive Authority extends

Given under my hand and Seal at Helena Montana this 23d day of November A.D. 1878

Seal

B.F. Potts
Governor

James Hills
Secretary of Montana

Return on warrant shows that the Sheriff of Deer Lodge County delivered the said John Hoffheins to the Territorial Superintendent of the Insane Nov. 6, 1878
Dr. A. H. Mitchell receipts same date Dec 6, 1878

Montana Territory
Executive Department }

It having been made to appear to me that one John Hoffheins of Deer Lodge County, Territory of Montana is insane and indigent

I have therefore this day issued a warrant to the Sheriff of Deer Lodge County to forthwith transfer the said John Hoffheins to the Asylum at Hot Springs, Deer Lodge County, and deliver him to Dr. A. H. Mitchell the Contractor for the maintainance of the Territorial Insane

Helena December 4th 1878

B.F. Potts
Governor

Attest
James Hills
Secretary

Territory of Montana
Executive Department }

Helena December 7. 1878

Peter Koch of Gallatin County was this day appointed and commissioned a Notary Public for the period of three years from the date hereof subject to the advice and consent of the Legislative Council at its next session

B.F. Potts
Governor

attest
James Hills
Secretary

Territory of Montana
Executive Department }

Helena December 14th 1878

Charles S. Warren was this day appointed and commissioned a Notary Public for the period of three years from the date hereof subject to the advice and consent of the Legislative Council at its next Session

B. F. Potts
Governor

Attest
James H. Mills
Secretary

Montana Territory
Executive Department }

It having been made to appear to me that one John Wilson of Jefferson County Territory of Montana is insane and indigent

I have therefore this day issued a warrant to John J. Rohrbaugh, Sheriff of Jefferson County to forthwith transfer the said John Wilson to the Asylum at Hot-Springs Deer Lodge County and deliver him to Dr. A. H. Mitchell the contractor for the maintainance of the Territorial Insane

Helena December 16th 1878

Attest

B. F. Potts
Governor

James H. Mills
Secretary

Montana Territory
Executive Department }

Helena December 20, 1878

James R. Weston of Jefferson County was this day appointed and commissioned a Notary Public for the period of three years from the date hereof subject to the advice and consent of the Legislative Council at its next session

Attest
James H. Mills
Secretary

B. F. Potts
Governor

United States of America
Territory of Montana } ss.

I Benjamin F. Potts, Governor of Montana Territory do hereby certify that at a general election held in said Territory on Tuesday, the fifth day of November A.D. 1878 in pursuance of law, Martin Maginnis was legally elected Delegate to represent said Territory in the forty sixth Congress of the United States; he having received the highest number of votes cast at said election for said office

In testimony whereof I have hereunto set my hand and caused the Great Seal of the Territory to be affixed

Seal

Done at Helena the capital of said Territory this the Twentieth day of December A.D. one thousand eight hundred and seventy eight

B. F. Potts
Governor

Attest James H. Mills
Secretary of Montana

The following is a correct abstract of the votes polled at a General Election held in the several Counties of Montana Territory on Tuesday November 5th A.D. 1878 for Delegate to represent said Territory in the 46th Congress of the United States as returned to the Territorial Auditor and opened and canvassed by Hon. D. H. Malott Territorial Treasurer and Alexander C. Botkin Esq. U.S. Marshal for the District of Montana in the presence of B. F. Potts, Governor of said Territory on the 7th day of December A.D. 1878 at Helena the Capital of the Territory aforesaid

Counties	Martin Maginnis	Sample Orr	Total
Beaver Head	451	174	625
Choteau	437	7	444
Custer	342	10	352
Deer Lodge	1742	686	2428
Gallatin	544	320	864
Jefferson	298	244	542
Lewis & Clarke	1163	687	1850
Madison	581	404	985
Meagher	413	149	562
Missoula	514	76	590
Total	6485	2757	9242

We the undersigned hereby certify that we did on the day and at the place aforesaid canvass the vote for Delegate to the 46th Congress from the said Territory as returned by the several counties and that the foregoing abstract of said vote is correct

Dated at Helena, the Capital Dec the 7th A.D. 1878

D. H. Weston
Territorial Treasurer
Alex. C. Botkin
U.S. Marshal Dist of Montana

Canvassed in my presence
B. F. Potts
Governor

Montana Territory
Executive Department

Helena December 23d 1878

Jacob A. Ramoux was this day appointed and commissioned a Notary Public for the period of three years from the date hereof subject to the advice and consent of the Legislative Council at its next Session

Attest
James Mills
Secretary

B. F. Potts
Governor

Montana Territory
Executive Department

Helena December 26. 1878

Erwin L. Rhu was this day appointed and commissioned a Notary Public for the period of three years from the date hereof subject to the advice and consent of the Legislative Council at its next session

Attest
James Mills
Secretary

B. F. Potts
Governor

Territory of Montana }
Executive Department }

The following is a correct abstract of votes polled at a General Election held in the several Counties of Montana Territory on Tuesday, November 2d, 1880 for Delegate to represent said Territory in the Forty-Seventh Congress of the United States, as canvassed by Alexander C. Botkin, U.S. Marshal for the District of Montana, and D. H. Newton, Territorial Treasurer, in the presence of B. F. Potts, Governor of said Territory on the second day of December, A.D. 1880, at Helena, the Capital of the Territory aforesaid.

County	Martin Maginnis	Wilbur F. Sanders	Scattering	Totals
Beaverhead	826	603		1429
Choteau	503	237		740
Custer	763	433		1196
Deer Lodge				
Gallatin	616	711		1327
Jefferson	610	428	W. Whitstone 1	1039
Lewis & Clarke	1005	1081		2086
Madison	657	651		1302
Meagher	608	394		1002
Missoula	463	186		649
	6045	4724	1	10770

And furthermore; the said Board of Canvassers also found a paper purporting to be an abstract of the votes given in Deer Lodge County, signed by one member of the Board of County Canvassers, from which it appears that Martin Maginnis received 1754 votes, Wilbur F. Sanders received 1657 votes and Sample Orr 1 vote; also a paper signed by two members of said Board protesting against the legality of said returns. The said Board of Canvassers decided that the said paper purporting to be an abstract, was not a lawful abstract of the votes given in said County of Deer Lodge and appointed W. Wallace Botkin a messenger to demand such an abstract as the law requires. The Board thereupon adjourned for one week; And thereafter, to wit; on the Sixth day of December, 1880, the said Messenger demanded of the County Clerk of said County a lawful abstract of the votes given in said County, but the said Clerk failed and refused to furnish any other returns than the one already forwarded.

The said Board of Territorial Canvassers having reassembled in pursuance of adjournment, on the 9th day of December, A.D. 1880, d[illegible] to the returns of

Montana Territory
Executive Department

Helena January 10th 1878

Isham B. Porter of Lewis and Clarke County was this day appointed and commissioned a Notary Public for the period of three years from this date subject to the advice and consent of the Legislative Council at its next Session

Attest
James H. Mills
Secretary

B. F. Potts
Governor

Montana Territory
Executive Department

Helena January 11th 1879

Benjamin F. Marsh of Lewis and Clarke County was this day appointed and commissioned a Notary Public for the period of three years from this date subject to the advice and consent of the Legislative Council at its next Session

Attest
James H. Mills
Secretary

B. F. Potts
Governor

Montana Territory
Executive Department

Helena January 11th 1879

Theodore H. Kleinschmidt was this day appointed and commissioned a Notary Public for the period of three years from this date subject to the advice and consent of the Legislative Council at its next Session

Attest
James H. Mills
Secretary

B. F. Potts
Governor

Montana Territory
Executive Department

Helena. January 13. 1879.

To the Legislative Assembly.

Henry W Hoover, Esq, of Helena is appointed Private Secretary to the Governor, and I ask that he be respected accordingly.

Respectfully.

B.F. Potts
Governor

Attest
James Hunter
Secretary

Montana Territory
Executive Department

Helena January 15. 1879

To the
President of the Council.

Sir.

I have the honor to nominate, and by and with the advice and consent of the Legislative Council, appoint the following persons Notaries Public for the period of three years.

Henry S. Reed	Deer Lodge Co.	
John C. C. Thornton	" "	
John K. Beidler	Lewis & Clarke "	
Alexander Carmichael	Custer "	
Frank H Woody	Missoula "	
John Murta	Gallatin "	
Henry Addoms	Lewis & Clarke "	
George W. Conner	Jefferson "	
Francis R. Bill	Deer Lodge "	
Ben R. Ditter	Lewis & Clarke "	
John P Quigley	Deer Lodge "	
Josiah M. Merrill	" " "	
Frank P Sterling	Lewis & Clarke "	
William E. Cullen	" " "	
Alexander M. Woolpert	" " "	
William F. McCartney	" " "	
George W. Smith	Custer "	
Junius G. Sanders	Jefferson "	
Edward H. Knight	Lewis & Clarke "	
James Ross Clark	Deer Lodge "	
Caleb E. Irvine	" " "	
H. F. Chadwick	Lewis & Clarke "	
Geo F. Marsh	" " "	

Filed January 15. 1879

✓	George B. Foote	Lewis & Clarke	County
	A. P. Warren	Custer	"
	Richard Lockey	Lewis & Clarke	"
C	Amos Purdam	Madison	"
✓	L. O. Ewing	Lewis & Clarke	"
	James L. Root	" "	"
C	Jeremiah B. Wilcox	Deer Lodge	"
✓	Ira M. Swartz	Lewis & Clarke	"
✓	Thomas T. Baker	Deer Lodge	"
C	John L. Robinson	" "	"
C	Dalton Cameron	" "	"
	Andrew J. Smith	Lewis & Clarke	"
	T. George Heldt	" "	"
	Louis Rotwitt	Meagher	"
C	Isaac I. Lewis	Deer Lodge	"
C	William Plummer	Lewis & Clarke	"
C	Patrick Talent	Deer Lodge	"
C	William Geddis	Meagher	"
C	Peter Koch	Gallatin	"
	Charles S. Warren	Deer Lodge	"
C	James R. Weston	Jefferson	"
C	Jacob A. Larouse	Choteau	"
	Ernest D. Rhey	Lewis & Clarke	"
C	Isaac B. Porter	" "	"
✓	Benjamin F. Marsh	" "	"
C	Theodore H. Kleinschmidt	" "	"
✓	Thomas J. Mitchell	Dawson	"
C	Francis C. Deinling	Madison	"
C	William F. Kirkwood	"	"
C	John Anderson	"	"
C	Michael Hanley	Gallatin	"
C	Robert P. Vivion	"	"
C	Edwin B. Waterbury	Deer Lodge	"

The above parties, except those marked, thus, ✓ were elected on their confirmation,

Respectfully

B. F. Potts

Governor

Attest

James N. Mills

Secretary

Feby 14, 1879

1879-1881

Territory of Montana
Executive Department

Helena January 16. 1879

To Hon A. H. Mitchell
President of the Council
Sir.

I have the honor to nominate and by and with the advice and consent of the Legislative Council, appoint and commission the following officers to wit;

Daniel H. Weston, of Lewis and Clarke County, to be Territorial Treasurer. Confirmed January 18. 1879.

Clark Wright, of Lewis and Clarke County to be Superintendent of Public Instruction. Rejected January 18. 1879.

Respectfully
B. F. Potts
Governor

attest
James Mills
Secretary

Territory of Montana
Executive Department

Helena January 16. 1879

Hon A. H. Mitchell
President of the Council
Sir

I have the honor to nominate and by and with the advice and consent of the Legislative Council, appoint the following persons Notaries Public, for the period of three years.

C	Charles H. Peck		Madison County	
C	George H. Hardesty		" "	
	Albert B. Wright	See page 382	" "	
C	Samuel Hord		" "	

Respectfully
B. F. Potts
Governor

attest
James Mills
Secretary

Montana Territory
Executive Department

Helena January 18. 1879

Hon. A H Mitchell
President of the Council

Sir

I have the honor to nominate, and by and with the advice and consent of the Legislative Council, appoint the following persons Notaries Public for the period of three years.

William H. Todd	Choteau County
Mathew Carey	Madison "
Byron H. Cook	Beaverhead "
Erastus A. Nichols	Deer Lodge "

Respectfully

B. F. Potts
Governor

Attest
James Mills
Secretary

Conformed January 18. 1879
Addis T. Blundell

Montana Territory
Executive Department

It having been made apparent to me that one Charles Nichols of Deer Lodge County, Territory of Montana, is insane and indigent, —

I have therefore this day issued a warrant to Jas S. McAndrews, Sheriff of Deer Lodge County to forthwith transfer the said Charles Nichols to the Asylum at Hot Springs, Deer Lodge County and deliver him to Dr A H Mitchell, the Contractor for the maintenance of the territorial insane.

Helena January 16. 1879.

B. F. Potts
Governor

attest
James Mills
Secretary

In the matter of the pardon of John Haveney

Helena January 16. 1879.

A petition signed by the Hon Hiram Knowles, Judge, who tried the case, Hon A. E. Mayhew, District Attorney who prosecuted the case, and C. W. Turner, Esq, Atty at law - who defended the prisoner; for the pardon of John Haveney, convicted at the October term of the District Court for Beaverhead County MT; was this day filed in the Executive Office.

attest
James Mills
Secretary

B. F. Potts
Governor

In the matter of the pardon of John Haveney

Whereas, at the October term of the District Court 1878, held in and for Beaverhead County, Montana Territory, John Haveney was convicted of the crime of forgery, and sentenced to confinement in the United States Penitentiary at Deer Lodge for the period of one year: And Whereas, Such representations have been made by the Hon Hiram Knowles, Judge, who tried the case, Hon A. E. Mayhew Dist Attorney, who prosecuted the case, and C. W. Turner, Esq. who defended the prisoner, that said John Haveney may with propriety be pardoned by the Executive authority of this Territory: Therefore By virtue of the authority vested in me as Governor, by the Organic Act and laws of said Territory, I hereby grant a full PARDON to said John Haveney and restore him to all of his civil rights so far as Executive authority extends, upon the express condition that the said John Haveney, will forever abstain from the use of intoxicating liquors, ale or beer, and if he shall at any time violate this condition he shall be arrested and returned to the penitentiary to serve out the remainder of his sentence.

Seal

In testimony whereof, I have set my hand and caused the great Seal of the Territory of Montana, to be affixed.

Done at Helena the Capital of said Territory this 18 day of January A.D. 1879, and of the Independence of the United States, the One hundred and third.

B. F. Potts
Governor

attest
James Mills
Secretary

I, John Kavenny, do hereby accept and will strictly observe and faithfully keep the conditions of the pardon of the Governor of Montana Territory, of January 18. 1879. by which I am released from imprisonment in the Montana penitentiary.

Deer Lodge, MT
January 23. 1879.

(sgd) John Kavenny

Witness. Henry Neill.

Territory of Montana
Executive Department } Helena January 18. 1879.

By virtue of the authority vested in me by law, I hereby appoint by and with the advice and consent of the Legislative Council, Daniel H. Weston, of Lewis and Clarke County, Montana, Territorial Treasurer, for the period of two years from January 18. 1879.

He will give bond in the amount required by the Secretary of the Territory.

Attest
James Mills
Secretary

B.F. Potts
Governor.

Territory of Montana
Executive Department } Helena January 20. 1879

To the
Legislative Assembly

I submit for your consideration the proposition of P. S. Nestel, Esq. to purchase whatever amount of territorial bonds that may be authorized to be issued, to cancel the present ten per cent bonds of the Territory.

Respectfully
B.F. Potts
Governor

Attest
James Mills
Secretary.

Territory of Montana
Executive Department

Helena January 20 1879

To the
Legislative Assembly.

I have the honor to submit for the information of the Legislative Assembly, the Report of the Historical Society of Montana, for the years 1877. 8.

Only one copy of the Report having been furnished this Department, the same is sent to the Council.

Attest
James Mills
Secretary

Respectfully
B. F. Potts
Governor

Territory of Montana
Executive Department

Helena January 21. 1879.

To the House of Representatives.

I have the honor to inform the House of Representatives that I have this day approved House joint Resolution No 3, without title.

Respectfully
B. F. Potts
Governor

Attest
James Mills
Secretary

Territory of Montana
Executive Department

Helena January 21 1879

To the
Legislative Assembly.

I have the honor to submit for the Consideration of the Legislative Assembly, a memorial of the Constitutional Convention of California, asking the Governors of Oregon and Nevada, and Washington, Idaho, Montana and Arizona Territories to memorialize the President of the United States, and the Senate of the United States for a modification of the Burlingame treaty existing between the United States and the Chinese Empire.

This subject appears to me to require the action of the representatives of the people, rather than the

Executive, and as the Legislature is now in Session, the whole subject is submitted for the consideration and action of the same.

Only one copy of the memorial having been furnished this Department, the same is sent to the House of Representatives.

Respectfully

B. F. Potts
Governor

Attest James Mills
Secretary

Territory of Montana
Executive Department

Helena January 22, 1879

To the
President of the Council.
Sir

I have the honor to nominate, and by and with the advice and consent of the Legislative Council, appoint the following persons Notaries Public, for the period of three years.

David O'Brien	Madison Co.	Confirmed January 22 1879
John W. Tattan	Choteau "	
Nicholas Hilger	Lewis & Clarke "	

Respectfully

B. F. Potts
Governor

Attest James Mills
Secretary.

In the Matter of the
pardon of Addison O. Toneray

Addison O. Toneray was convicted, on or about the 1st day of January 1879, before Esq Bateman, of Lewis & Clarke County, Montana Territory, of petit larceny and sentenced to imprisonment in the County Jail, at Helena, for three months.

A pardon, restoring the said Addison O. Toneray, to all of his civil rights, so far as Executive authority extends; is hereby granted, upon the recommendation of E M Hoffit, Chairman, and W L Milligan and N A Clark, members of the Board of County Commissioners of Lewis & Clarke Co, Montana.

January 22. 1879.

B. F. Potts
Governor

Miss
James Mills Secy

Territory of Montana
Executive Department

Helena January 23. 1879.

To the
Legislative Assembly.

I have the honor to submit for the information of the Legislative Assembly, a statement showing the amount reported as paid by the several Counties, in the year 1878 for the trial and conviction of persons charged with the crime of felony.

Beaverhead	County	$1.628.70
Lewis & Clarke	"	1,967.55
Madison	"	1.050.00
Missoula	"	194.55
		$4.840.80

No report has been received from Deer Lodge County. The other counties report they have incurred no expense during the year, for the purposes stated.

Respectfully

B. F. Potts
Governor

Attest James Mills
Secretary

Territory of Montana
Executive Department

Helena January 24/1879

To the
President of the Council.

Sir,

I have the honor to nominate, and by and with the advice and consent of the Legislative Council, appoint the following persons Notaries Public, for the period of three years.

Anthony H. Barrett	Deer Lodge County	Confirmed Jan 24/79
John Alderson	Custer "	
Loren B. Olds	Madison "	

Respectfully

B. F. Potts
Governor

Attest James Mills
Secretary

Territory of Montana
Executive Department

Helena January 24. 1879

Sir.

The District Attorney for the Fifth Judicial district, decides that Notaries Public are Territorial Officers.

By the provisions of Section 81 of the Organic act, no person holding an appointment or commission under the United States, can be a Notary Public.

If you are holding a commission or appointment under the United States, or from a United States officer, such as Deputy Mineral Surveyor, &c: you will cease to act as Notary Public from this date.

To Geo B. Foote Helena
Wm T. McFarland "
B. F. Marsh "
Geo T Marsh Butte.
T T Baker "
A B Knight Virginia City See page 375
J M. Page. Salisbury.

Very respectfully,
B. F. Potts
Governor.

Attest
James Mills
Secretary

Territory of Montana
Executive Department

Helena January 27/1879

To the
President of the Council.

I have the honor to nominate, and by and with the advice and consent of the Legislative Council, appoint Alfred H. Doughty, of Jefferson County Mont. a Notary Public, for three years.

{Confirmed Jany 28. 1879}

Respectfully
B. F. Potts
Governor

Attest
James Mills
Secretary

Territory of Montana
Executive Department

Helena January 27. 1879

To the
Speaker of the House of Representatives.

I have the honor to inform the House of Representatives that I have this day approved H. B. No 8. Entitled an Act concerning the circulation of Canadian Money in the Territory of Montana

Respectfully
B. F. Potts
Governor

Attest
James Mills
Secretary

Territory of Montana
Executive Department

Helena January 28. 1879

To the
Legislative Assembly.

It is with regret that I transmit a copy of a communication from N. S. Vestel, Esq, withdrawing his proposition to purchase the indebtedness of the Territory, at six per cent interest.
This proposition was sought of Mr Vestel in good faith and was made in the same spirit.

If the Legislative Assembly has not accepted the proposition in the spirit in which it was made, he is justified in withdrawing it.

Respectfully
B. F. Potts
Governor

Attest
James Mills
Secretary

Territory of Montana
Executive Department

Helena January 29. 1879

To the Legislative Council.

I have the honor to inform the Council that I have this day approved C. B. No 10, Entitled, An act to change the name of Sarah A. Merrill to Sarah A. Murdock.

Respectfully
B. F. Potts
Governor

Attest
James Mills
Secretary

Territory of Montana
Executive Department

Helena February 1. 1879

Edward Shultis of San Francisco, Cal., was this day appointed and commissioned a Commissioner of Deeds, for Montana Territory, in and for the State of California, for the period of three years from date hereof.

B. F. Potts
Governor

Attest
James Mills
Secretary

Territory of Montana
Executive Department

Helena February 1/1879

To the
President of the Council

I have the honor to nominate and by and with the advice and consent of the Legislative Council, appoint George C. W. Stapleton, of Deer Lodge County, M.T., a Notary Public for three years.

Confirmed Feby 1/79

Respectfully
B. F. Potts
Governor

Notice Recd. Notified Notary July 17 —

Attest James Mills
Secretary

Territory of Montana
Executive Department

Helena Febry 1. 1879

To the
President of the Council

I have the honor to nominate and by and with the advice and consent of the Legislative Council, appoint Isaac N. Hazlett, of Choutea County M. T., a Notary Public for the period of three years.

Confirmed Feby 1/79

Respectfully
B. F. Potts
Governor

Notified Feby 17 Attest James Mills
Secretary

Territory of Montana
Executive Department } Helena February 3, 1879

To the Legislative Assembly

I have the honor to submit for your information a report of pardons granted by this office during the two years last past with the reasons therefor.

George W. Rea

Crime. Murder in the second degree.
Sentenced to imprisonment in the Penitentiary for the period of fifteen years, at the March Term of the District Court in Gallatin County 1875.
Pardoned February 9, 1877, upon condition that he forever abstain from the use of intoxicating liquor.
Pardon recommended by Bishop D. S. Tuttle, Rev M. N. Gilbert, 32 Citizens of Olean N.Y. and 305 Citizens of Montana Territory.

James Thompson

Crime. Assault with intent to Murder.
Sentenced to imprisonment in Penitentiary at the February term of District Court 1874, in Jefferson County for the period of seven years. Pardoned upon the condition that he at once depart from the Territory and never return.
Pardon granted July 18, 1877 upon the recommendation of the Hon's Wm H Clagett, Samuel Word, and Samuel Kinnehorne, Dr A H Mitchell, W. W. Dixon and John Shober Esq, and Jerrish warden of the Penitentiary. The Physician of the prison certified that longer confinement would result in the entire destruction of his health, and that he would die before the expiration of his sentence.

Christian E. Humphreys

Crime, Assault and Battery.
Sentenced by Esq. Wiles, Justice of the Peace, to imprisonment in the jail of Deer Lodge County

for the period of six months. Pardoned Feby 26. 1878, upon the representations of his wife, and 221 citizens of Deer Lodge County.

John McDonald.

Crime. Assault with intent to kill.
Sentenced to imprisonment in the Penitentiary for the period of one year, at the October term of the District Court 1877, in Gallatin County.
Pardon granted May 18. 1878, upon the recommendation of Judge Blake, Hon J. G. Spratt, Dist Attorney, and 25 other citizens of the Territory.

S. J. Perkins

Crime. Assault with intent to murder.
Sentenced at June term of the Dist Court 1875, in Lewis and Clarke County, to imprisonment in the Penitentiary for the period of five years.
Pardon granted July 23. 1878 upon the recommendation of D. S. Wade, Chief Justice, Hon J. K. Toole, Dist Atty, W. F. Wheeler, U. S. Marshall, and 12 other citizens of the Territory; and because of the failing health of the convict from confinement in prison. A pardon was granted upon condition that he would at once depart from the Territory and never return.

George W. Bostwick

Crime. Forgery.
Sentenced at November term of the Dist Court 1878 in Lewis and Clarke County, to confinement in the Penitentiary for the period of one year.
Pardon granted November 23. 1878 upon the recommendation of the Hon D. S. Wade, Chief Justice, who tried the case, Hon J. K. Toole, Dist Atty, the citizens of Helena, where paper he forged; and Dr Thompson and others of Salt Lake City.

John Kavenay

Crime: Forgery.

Sentenced at the October term of the Dist Court of Beaverhead County, 1878, to confinement in the Penitentiary for the period of one year.

Pardon granted January 18, 1879 upon the recommendation of the Hon Hiram Knowles Judge, who tried the case, Hon N E Mayhew, Dist. Atty who prosecuted the case and C W Tuma Esq who defended the prisoner.

It was shown that the convict had a wife and two small children dependent upon his labor for support. The pardon was granted upon condition that the convict would forever abstain from the use of intoxicating liquors.

Addison O. Tonray

Crime Petit Larceny.

Sentenced by Esq Bateman of Lewis and Clarke County, in January 1879, to imprisonment in County jail of said County for the period of three months.

Pardon granted January 22, 1879 upon the request of the Board of County Commissioners of said County.

Respectfully

B. F. Potts

Governor

attest
James H Mills
Secretary

Territory of Montana
Executive Department

Helena February 4, 1879

To the
President of the Council.

I have the honor to nominate, and by and with the consent and advice of the Legislative Council, appoint Robert Hedge of Madison County, Notary Public for the period of three years.

Respectfully

B. F. Potts

Governor

Confirmed Feby 4/79 attest
James H Mills
Secretary

Territory of Montana
Executive Department } Helena February the 8th 1879

To the Legislative Assembly.

I have the honor to transmit the report of the Judges of the Supreme Court, accounting for the appropriation for the purchase of Law Books in the years 1877-8. I beg ~~leave~~ to dissent from the report in regard to the territorial Library in charge of the Auditor as Ex Officio, Territorial Librarian. The Law Books in charge of the Judges were purchased by the United States for the Supreme Court and are the property of the General Government, except such additions as there made by the Territory.

The territorial Library contains several hundred volumes, and has been secured by the territorial Auditor and others without cost to the Territory, and the use of the books has never been denied any citizens, much less, the Honorable Judges; hence, there can be no reason for the statement contained in the report that the Judges would be compelled to purchase some books now in the territorial library. The Honorable Judges could not have been well advised upon the subject, or their report would not have contained the statement that some of the books in the Territorial library were designed by the donors for the Judges' library.

The care and custody of the territorial Library under the direction of the Judges of the Supreme Court, will involve a large expenditure of Money annually, while if the library remains as it now is, in charge of the territorial Auditor, no additional expenditure will be necessary.

The books in charge of the Territorial Auditor are the property of the Territory, and should not pass from the control of the officers of the same.

The Judges, Attorneys, and all other citizens have free daily access to the library in charge of the Territorial Auditor. If the Judges have not sufficient room for the Library in their charge, the Auditor is able to furnish ample accommodation for the same, without additional cost to the Territory.

Duplicate copy of this report having been furnished this Department, the same is sent to the Council.

Respectfully.

Attest
James Mills
Secretary

B. F. Potts
Governor

Territory of Montana
Executive Department

Helena February 6. 1879

To the
House of Representatives.

On the 5th day of February A D 1879, I approved the following bills, to wit:

H B. No 29, Entitled "an Act for the relief of Otto Bettin."

H B. No 21, Entitled "an act to change the name of Simeon, to the name of George Taylor."

Also, H J R. No 4.

Respectfully.

Attest
James Mills
Secretary

B. F. Potts
Governor

Territory of Montana
Executive Department

Helena Feby 7. 1879

To the
President of the Council.

I have the honor to nominate, and by and with the advice and consent of the Legislative Council appoint William J. Walsh of Madison County Notary Public for the period of three years.

Respectfully

Attest
James Mills
Secretary

B. F. Potts
Governor

Territory of Montana
Executive Department

Helena February 7 1879

To the President of the Council.

I have the honor to nominate, and by and with the advice and consent of the Legislative Council appoint Robert Smith of Beaverhead County, Notary Public for the period of three years.

Respectfully

Attest
James Mills
Secretary

B. F. Potts
Governor

In the Matter of the restoration to Citizenship of John F. Pascoe

Whereas, John F. Pascoe was convicted at the November Term of District Court for Lewis & Clarke Co, 1877, of the crime of obtaining money under false pretenses and sentenced to imprisonment in the Penitentiary at Deer Lodge for the period of one year; the said Pascoe having served out said term of imprisonment and upon the recommendation of the Hon D. S. Wade, Chief Justice, and divers other good citizens of the Territory; I Benjamin F. Potts, Governor of Montana, do hereby remit the forfeiture of citizenship by reason of the conviction for said crime, and restore said John F. Pascoe, to citizenship as fully as though he had not been convicted of said crime.

Seal

In testimony whereof, I have hereunto set my hand, and caused the seal of the Territory to be affixed, this, 8th day of February A.D. 1879.

B. F. Potts
Governor

Attest James Mills
Secretary

Territory of Montana
Executive Department

Helena February 10. 1878

To the President of the Council.

I have the honor to nominate and by and with the advice and consent of the Legislative Council appoint the following persons Notaries Public, for the period of three years.

Geo D. Thomas, Gallatin County, Confirmed Feby 10/78
James McElroy, Deer Lodge " " " 10/78

Respectfully

B. F. Potts
Governor

Attest James Mills
Secretary

Territory of Montana
Executive Department

Helena Feby 12/1879

To the
President of the Council.

I have the honor to nominate and by and with the advice and consent of the Legislative Council, appoint the following persons Notaries Public for the period of three years.

Charles M Shepherd Beaverhead Co, Confirmed Feb 12/79
Alfred John Urlein " " " " 12/79

Respectfully
B. F. Potts
Governor

attest
James Mills
Secretary

Territory of Montana
Executive Department

Helena Feby 12 1879

To the Legislative Assembly:

The following is a copy of a telegram received at this office.

New York Feby 11/79

Gov B F Potts, Helena:

Will Territorial Bonds, Eight per cent, ten years - payable New York. Will take them par.

(signed) The Corbin Banking Company

Respectfully
B. F. Potts
Governor

attest
James Mills
Secretary

Territory of Montana
Executive Department

Helena Feby 13 1879

To the President of the Council

I have the honor to nominate and by and with the advice and consent of the Legislative Council, appoint Thomas Keegan of Madison Co, a Notary Public, for the period of three years

Respectfully
B. F. Potts
Governor

attest
James Mills
Secretary

Territory of Montana
Executive Department

Helena Feby 14/1879

To Hon A. H. Mitchell.
President of the Council

Sir

I have the honor to inform the Council that I have approved the following Bills, to wit:

CB No 8. Entitled An act to consolidate the Offices in Beaverhead and Custer Counties.

CB No 19. Entitled An Act to provide for the support and maintenance of the Phillipsburg Fire Department.

CB No 3. Entitled An Act to provide compensation for certain printing.

CB No 17. Entitled An Act relating to Escheated Estates.

Respectfully.
B. F. Potts
Governor

Attest
James Mills
Secretary

Territory of Montana
Executive Department

Helena Febry 14/1879

Hon Samuel T. Word
Speaker of the House of Representatives

Sir

I have the honor to inform the House of Representatives that I have approved the following Bills, to wit:

H B. No 1 Entitled An Act in relation to Notaries Public.

H B. No 3, Entitled An Act in relation to Swine.

Respectfully
B. F. Potts
Governor

Attest
James Mills
Secretary

Territory of Montana
Executive Department

Helena Feby 14, 1879

Hon Samuel Word
Speaker of the House of Representatives

Sir

I have received H B No 28, Entitled An Act for the relief of St John's Hospital.

This Bill provides for compensation for the maintenance &c of Smith and Coffrie, in St John's Hospital. I am not informed as to the merits of this Bill, and respectfully request that a copy of the report of the committee that reported the Bill, with the evidence, be transmitted to this office.

Very respectfully
B.F. Potts
Governor

attest
James Mills
Secretary

Territory of Montana
Executive Department

Helena February 15. 1879

To the President of the Council:

I have the honor to nominate, and by and with the advice and consent of the Legislative Council appoint George E. Tarbell of Beaverhead County — Notary Public for the period of three years

Confirmed Feby 15/79

Respectfully
B.F. Potts
Governor

attest
James Mills
Secretary

Territory of Montana
Executive Department

Helena February 17. 1879

To the
House of Representatives.

I have the honor to return to the House of Representatives, House Bill No 36, Entitled An act concerning the sale of intoxicating liquors: without my signature.

This Bill is a new departure in legislation and its only merit is its novelty. The Sale of Wine, Liquors &c is legalized by the United States and the Territory

by granting licenses to persons engaged in the business, and a heavy tax is imposed and paid by persons engaged in the traffic.

The business being recognized as a legal one, and taxes paid on the same, it appears to be unfair to abridge the right of those engaged in the business to collect their accounts legitimately contracted. The tendency of wise legislation is in the direction of requiring men to pay their honest contracts, and I cannot give my assent to the character of legislation proposed by this bill.

Respectfully
B F Potts
Governor

Attest James Mills
Secretary

Territory of Montana
Executive Department

Helena February 17. 1879

Hon Samuel Word.
Speaker, House of Representatives

Sir

I have the honor to inform the House of Representatives that I have signed HB No 28 Entitled An Act for the relief of St John's Hospital.

This Bill suggests the propriety of recommending to the Legislative Assembly that authority be granted the Executive to contract for the keeping of such paupers as are likely to remain such during their lives. Reports from the several counties indicate that there about fifteen paupers now maintained by the counties, that are likely to remain a charge on the same during their lives; and that the cost of maintaining the same, runs from $6.50 per week, to $14.00 per week, besides medical attendance and burial expenses. It is my opinion that the Territory can contract for the maintenance of all such paupers, to include medical attendance and burial expenses, at, not exceeding $7.00 per week, per capita.

If the authority recommended, be granted, every effort shall be made to contract for even a less rate than that above stated, and it is believed that better facilities can be obtained for the comfortable maintenance of the unfortunate poor, than is now afforded by the several Counties.

Respectfully.
B F Potts
Governor

Copy furnished the Council. Attest James Mills
Secretary.

Territory of Montana
Executive Department

Helena February 19. 1879

Hon Samuel Word
Speaker of the House of Representatives
Sir.

I have the honor to return to the House of Representatives without my approval, H. B. No. 74, Entitled an Act limiting Compensation in certain Cases.

The first reading of this Bill would naturally leave the impression that it is personal in its character, but when we reflect that it emanated from a gentleman of high character, who is entirely free from malice, ill will, or personal pique, and who never forgets the obligations of his oath, and is entirely unselfish in all his acts, and that its other supporters are alike free from the charge of using their official position for personal ends; this impression is at once removed.

From the foregoing considerations we are compelled to assume that some high object is to be attained by the enactment of the measure. Can that object be discovered by a careful consideration of the bill? Have the Officers heretofore appointed by the Executive with, or without, the consent of the Council, been faithless to the trust imposed? Has the Territory lost a single penny by the faithlessness of a territorial officer appointed by Executive authority? Their acts have been examined by every Legislative Assembly since 1871, and no loss to the people has been discovered. Can as much be said for the territorial officers elected by the people in 1868, or for the management of affairs in the several Counties, by officers elected by the people? Is it evidence of incompetency or faithlessness on the part of territorial officers appointed by executive authority, that the territorial Credit has appreciated from 70 cents on the dollar, to one and one half per cent premium, and the interest on territorial bonds reduced, one third — from 15 per cent per annum to 10 per cent per annum under their management, and all this has been accomplished with a levy for territorial purposes of one fourth less than when territorial affairs were managed by officers elected directly by the people, and notwithstanding the reduction of the levy for territorial purposes, and the additional cost to the Territory of the maintenance of over thirty insane persons and more than twenty additional convicts, the recent territorial management has been gradually liquidating the debt of the Territory. With such a record as this for territorial Officers

appointed by Executive Authority, I cannot believe that such legislation was suggested by any malfeasance on the part of any of said officers.

I cannot believe that because no nominations have been made for the Offices of Territorial Auditor and Territorial Superintendent of Public Instruction, that such a bill was deemed necessary, for upon reflection, members will remember that a notice was given in the Council early in the session that a bill would be introduced for the consolidation of the two offices aforesaid; and some weeks since, a like notice was given in the House of Representatives, and finally a bill was introduced and passed.

Now, had nominations for these Offices, pending this legislation, been made, I would have been charged with attempting to forestall legislation upon the subject. I preferred that no act of mine in this or any other matter before the Legislature should be so construed as an attempt on my part to control legislation. I have no other wish in the matter, than that every member should be perfectly free to act on his own individual judgment upon all questions, and I claim and will exercise the same privilege to the fullest extent.

The bill is objectionable because it gives the Governor the power to force the Council to confirm an objectionable man, or create a vacancy that will suspend the operation of the territorial government.

I cannot believe that the bill received the careful consideration of the Legislative Assembly, or no such dangerous power would have been placed in the hands of the Governor.

I therefore return the bill to the Legislative Assembly for its further consideration, trusting that the objectionable features of the bill will be apparent to every member, and that upon reflection the Council may not be placed in such an unfortunate dilemma as to be compelled to accept objectionable men for territorial officers.

Respectfully

Attest
James Mills
Secretary

R J Potts
Governor

Territory of Montana
Executive Department

Helena Feby 20 · 1879

Hon. Samuel Word
Speaker of the House of Representatives:
Sir.

I have the honor to return H B No 27, Entitled An Act to repeal an Act prohibiting the sale of liquor to Soldiers.

The Government of the United States has sent a portion of the Army into Montana and maintains the same here for the protection of her citizens from Indian depredations.

I do not think that protection can be made effective by authorizing the sale of intoxicating liquor to soldiers, thereby destroying the discipline of the Army and rendering it unable to afford the protection to our people that a wise and liberal government intends to extend to us.

I regard it as a duty we owe to the Government as well for our own protection, that we should by every legitimate means in our power aid and assist in preserving the discipline of the troops serving in the Territory.

By authorizing the sale of liquor to soldiers, every Military Reservation in the territory may be surrounded by whisky shops, and the troops demoralized by intoxication. The Officers of the army, as well as the Government will thank the people of the territory for any law that will prohibit the sale of intoxicating liquors to soldiers.

It may be claimed that the law should be repealed because it is not strictly enforced, but that is no reason for its repeal. I am informed that the law has been enforced and with good effect, on the discipline of the Army.

I cannot assent to the repeal of the law, and the bill is returned for reconsideration.

Respectfully

B. F. Potts
Governor

Attest
James Mills
Secretary

Territory of Montana
Executive Department

Helena Feby 20. 1879

To the President of the Council.

Sir

I have the honor to nominate and by and with the advice and consent of the Legislative Council appoint the following persons Notaries Public, for the period of three years.

Joseph K. Toole. Lewis & Clarke County

Confirmed Feby 21/79
Attest James Mills
Secretary.

Respectfully
B F Potts
Governor

Territory of Montana
Executive Department

Helena February 20. 1879

Hon A H. Mitchell.
President of the Council

Sir.

I have the honor to inform the Council that I have approved and signed Council Bill No 14, Entitled An Act to authorize the Governor to contract for the keeping and maintaining of the territorial Convicts in the United States Penitentiary at Cerro Gordo.

The bill attempts to provide for the payment of the burial expenses of Convicts that die in the penitentiary, but it falls short of the object attempted. No payment for such expenses can be made under the provisions of the bill. We hope that no such expenses will be incurred in the next two years, and therefore the bill is approved.

This bill suggests the subject of the payment of the mileage of sheriffs for the transportation of Convicts from the Counties where sentenced, to the Penitentiary. It is believed that there is no law now in force to authorize the payment of such transportation by the Counties or the Territory.

I respectfully recommend that a law be enacted, requiring the territory to pay such transportation at the rate ~~[illegible]~~ fixed by law for the transportation of prisoners.

Attest
James Mills
Secretary

Respectfully
B F Potts
Governor

Territory of Montana
Executive Department

Helena February 20 1879

Hon Samuel Word
Speaker of the House of Representatives

Sir.

I have the honor to return to the Legislative Assembly, House Bill No 62, Entitled An Act to Consolidate Offices; without my approval.

This Bill seeks to Consolidate the Offices of Territorial Superintendent of Public Instruction, with that of Territorial Treasurer.

This is a step backward, and experience everywhere, demonstrates that it is a serious mistake; to denominate it by no harsher term.

False economists are always ready to attack any system of free schools, and they appear to think a high purpose has been accomplished if they can economize at the expense of the efficiency of free schools.

Can it be that the people of Montana, want to face about upon this question, and look into the darkness and ignorance of the past, enveloped in superstition and prejudice; or do they want to look into the sunlight of the future, filled with hope and freighted with the Godlike aspirations of millions yet to be.

I challenge the friends of this measure to name a single State or Territory where the free school system is in successful operation, but has a Superintendent of Public Instruction, divorced from politics, and from all other Offices, and whose whole time is required in the performance of the duties of his Office. I further challenge the friends of this measure to name a single Educator in the land, who thinks that the school Superintendency is unnecessary. I am opposed to any retrograde movement on this question, and therefore return the bill for the further consideration of the Legislative Assembly.

Respectfully

B. F. Potts

Governor

Attest
James Mills
Secretary

Territory of Montana }
Executive Department }

Helena February 21/79

Hon A. H. Mitchell.
President of the Council.
Sir:

I have the honor to return to the Council, C.B. No 29, Entitled An Act for the Codification of the General Laws of Montana Territory; without my approval.

The compensation provided for in this bill is exorbitant. A Lawyer of good ability can perform the work contemplated, in thirty days, and I am assured that the services of one of the best lawyers at the Helena Bar can be obtained to perform the work for five hundred dollars.

The Bill bears the impress of the personal lobby and the title should be changed so as to read, A Bill for the relief of H R Comly.

I cannot consent to the passage of this bill without a protest in behalf of the tax payers of the Territory.

Respectfully
B F Potts
Governor

Territory of Montana }
Executive Department }

Helena February 21/1879

Hon A H. Mitchell,
President of the Council
Sir, I have the honor to nominate and by and with the advice and consent of the Legislative Council, appoint and commission W. Egbert Smith of Deer Lodge County, Superintendent of Public Instruction.

Confirmed Feby 21/79

Respectfully
B F Potts
Governor

Territory of Montana
Executive Department

Helena February 21. 1879

To the President of the Council

Sir:

I have the honor to nominate and by and with the advice and consent of the Legislative Council, appoint the following persons Notaries Public for the period of three years.

Madsena Bullard Lewis and Clarke County
Wm F. Wheeler " "

Confirmed Feby 21/79

Respectfully
B.F. Potts
Governor

Territory of Montana
Executive Department

Helena February 21. 1879

To the
President of the Council.

Sir:

I have the honor to nominate and by and with the advice and Consent of the Legislative Council, appoint A B Keeler of Chouteau Co, Notary Public for the period of three years.

Confirmed Feby 21/79

Respectfully
B.F. Potts
Governor

Territory of Montana
Executive Department

Helena February 21. 1879

Hon. A. H. Mitchell
President of the Council

Sir

I have the honor to nominate and by and with the advice and consent of the Legislative Council, appoint and commission Joseph P. Woolman of Lewis & Clarke County, Territorial Auditor.

Confirmed Feby 21/79

Respectfully
B.F. Potts
Governor.

Territory of Montana
Executive Department

Helena February 21. 1879.

Hon A.H. Mitchell
President of the Council.
Sir.

I have the honor to inform the Council that I have approved the following Bills, to wit:

C.B. No 12, Entitled An Act to enlarge Homesteads.

C B No 7, Entitled An Act to prevent the trespassing of animals upon private property.

C B No 27, Entitled An Act to repeal Section 6 of Act to provide for the collection of revenue, approved January 12. 1872.

C B No 23, Entitled An Act to amend an Act providing for the Collection of revenue.

C B No 28, Entitled An Act to correct errors in reference to sections of the Code of civil procedure.

C B No 33, Entitled An Act to provide for the printing of Marks and brands.

C B No 5, Entitled An Act to incorporate the Town of Butte.

C B No 4. Entitled An act to provide for the funding the bonds of Jefferson County Montana Territory.

C B No 48, Entitled An Act to provide for the transportation of Convicts from County Jails to the Penitentiary.

C B No 45, Entitled An Act to protect Quail in the Territory of Montana.

C B No 44. Entitled An act to prevent unlawful interference with private rights and private property.

C B No 21. Entitled An Act Concerning Fire Insurance Companies and Agents.

C.J.R. No 2.

Respectfully
B.F. Potts
Governor

Attest
James Mills
Secretary

Territory of Montana
Executive Department

Helena February 21. 1879

Hon Samuel Word
Speaker of the House of Representatives
Sir.

I have the honor to inform the House of Representatives that I have approved and signed the following Bills, to wit.

H B No 12, Entitled An Act prescribing a bounty for the destruction of Certain Animals.

H B. No 48. Entitled An Act to provide for the Keeping of the records of the District Courts at the County seats of Counties where such courts may be held.

H B No 35, Entitled An Act to amend An Act Concerning Crimes and punishments.

H B No 45. Entitled An Act authorizing Assessors to appoint a Deputy.

H. J. R. No 5. Referring to information Concerning Montana.

H B. No 95. Entitled An Act in relation to irrigation and Water ditches.

H B. No 43. Entitled An Act to provide for the payment of certain expenses.

H B. No 92. Entitled An Act providing for a County Jail at Butte City, Deer Lodge County.

H B. No 97. Entitled An Act to establish and regulate the fees of assessors.

H B. No 6. Entitled An Act to compel Butchers to record brands.

H B No 93, Entitled An Act authorizing the Probate Judge of Deer Lodge County, Montana Territory, to convey certain property.

H B No 64 Entitled An Act fixing the rate of toll for grinding grain.

H B. No 73, Entitled An Act to pay certain indebtedness.

H B. No 20. Entitled an Act to provide for the taxation of the proceeds of mines

H. B. No 83. Entitled An Act to protect Bison in certain Counties in this Territory.

H B. No 42. Entitled An Act to provide Compensation for the Clerks of the District Courts.

H B No 75, Entitled, An act in relation to insane convicts.

H B No 76, Entitled, An act requiring certain officers to report.

H B No 73, Entitled, An act concerning diseased animals.

H B No 79, Entitled, An act to provide for the incorporation of religious, benevolent, and other associations.

H B No 32, Entitled, An act to pay for certain legal services.

H B No 38, Entitled, An act to amend the Helena incorporation Act.

H B No 69, Entitled, An Act prescribing the duties of certain Officers, and prescribing a penalty for non performance of their duties.

H B No 63, Entitled, An act to amend section 48 of the Montana School law.

H B No 95, Entitled, An act to encourage the Manufacture of Sugar in the Territory of Montana.

H B No 41 Entitled, An act to provide for the payment by Deer Lodge County of certain expenses incurred during the Nez Perced war of 1877.

H B. No 77, Entitled, An Act to establish a Public highway in Township No 11 County of Lewis and Clarke.

H B. No 96, Entitled, An Act concerning Corporations.

H B No 2, Entitled, An act to provide for the refunding of the over due bonds of Missoula County, with accrued interest, and for other purposes.

Attest
James Mills
Secretary

Respectfully
B F Potts
Governor.

Territory of Montana
Executive Department

Helena February 22. 1879.

William J. Lyon of Jersey City, New Jersey, was this day appointed and commissioned a Commissioner of Deeds for Montana Territory, in and for the State of New Jersey, for the period of three years from date hereof.

Attest
James Mills
Secretary

B. F. Potts
Governor

Territory of Montana
Executive Department

Helena February 22. 1879.

By virtue of the Authority vested in me by law, I hereby appoint by and with the advice and consent of the Legislative Council, Joseph P. Woolman, of Lewis and Clarke County, Montana, Territorial Auditor, for the period of two years from the 21st day of February A.D. 1879.

He will give bond in the amount required by the Secretary of the Territory.

Attest
James Mills
Secretary

B. F. Potts
Governor

Territory of Montana
Executive Department

Helena February 24. 1879

By virtue of the Authority vested in me by law, I hereby appoint by and with the advice and consent of the Legislative Council, W. Egbert Smith, of Deer Lodge County, Montana, Superintendent of Public Instruction for the period of two years from the 21st day of February A.D. 1879.

He will give bond in the amount required by the Secretary of the Territory.

Attest
James Mills
Secretary

B. F. Potts
Governor

In the Matter of the remission of Fine against Nathaniel Bowers

Montana Territory
Executive Department
Helena March 7. 1879

The petition of citizens of Bozeman, Montana, has been filed in this office, praying for the remission of the fine assessed by the Probate Court of Gallatin County against Nathaniel Bowers for drawing or exhibiting a deadly weapon.

After due consideration the prayer of the petitioners is denied.

Attest
James Mills
Secretary

B. F. Potts
Governor

In the Matter of the Pardon of Thomas O'Brien

Helena M.T.
January 21 1879

Samuel Word

Transmits to the Governor of Montana, the petition of many citizens of Gallatin County M.T. praying for his intercession with the President of the United States, for the pardon of Thomas O'Brien, now in confinement in the Penitentiary at Deer Lodge M.T.

Executive Department
Helena M.T. March 7. 1879

Respectfully transmitted to His Excellency, the President of the United States, through the Interior Department.

The application for the pardon of O'Brien is endorsed by the best citizens of Gaston Montana, who are acquainted with the facts, and from the best information I can obtain, I believe the application meritorious; and respectfully recommend that pardon be granted.

Attest
James Mills
Secretary

B. F. Potts
Governor

The Territory of Montana }
County of Lewis & Clarke }

I, Decius S. Wade, do solemnly swear that I have never voluntarily borne arms against the United States since I have been a citizen thereof; that I have voluntarily given no aid, countenance, counsel or encouragement to persons engaged in armed hostility thereto; that I have neither sought nor accepted nor attempted to exercise the functions of any office whatever under any authority or pretended authority, in hostility to the United States; that I have not yielded a voluntary support to any pretended government, authority, power, or constitution within the United States hostile or inimical thereto. And I do further swear that to the best of my knowledge and ability, I will support and defend the Constitution of the United States against all enemies, foreign and domestick; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

(Signed) Decius S. Wade.

Sworn to, before me, and subscribed in my presence, this 18th day of March 1879.

Attest
James Mills
Secretary

B. F. Potts
Governor.

Montana Territory }
Executive Department }

It having been made to appear to me by the affidavit of Owen Emmerson, Probate Judge of Deer Lodge County, that one James McLaughlin of Deer Lodge County, Territory of Montana, is insane and indigent:

I have therefore this day issued a Warrant to the Sheriff of said Deer Lodge County, to forthwith transfer the said James McLaughlin to the Asylum at the Hot Springs, Deer Lodge County, and deliver him to Dr. A. K. Mitchell, the Contractor for the care and maintenance of the territorial insane

Attest
James Mills Secretary

Helena, Mar. 27, 1879
Governor

In the matter of the Pardon of George H Stacy.

Whereas, At the March term of the Probate Court, 1879, held in and for Lewis & Clarke County, Montana Territory, George H Stacy was convicted of the Crime of disturbing the peace and sentenced to Confinement in the County jail of Lewis & Clarke County for the period of eight days; And Whereas, Such representations have been made by J. A. Johnston, Esq. District Attorney for the Third Judicial District, that said George H Stacy may with propriety be pardoned by the Executive Authority of this Territory:

Therefore by virtue of the authority vested in me as Governor by the Organic act and the laws of said territory, I hereby grant a full Pardon to said George H. Stacy and restore him to all of his civil rights so far as Executive Authority extends.

In testimony Whereof, I have set my hand and caused the Great Seal of the Territory of Montana to be affixed.

{Seal}

Done at Helena, the Capital of said territory, this Twenty ninth day of March A D 1879, and of the Independence of the United States the One hundred and Third.

B. F. Potts
Governor

Attest
James H Mills, Secretary.

In the Matter of the Pardon of William Merritt

Territory of Montana
County of Lewis & Clarke

Executive Department, Helena M.T. April 4, 1879

Whereas, at the January term of the Probate Court, 1879, in and for Lewis and Clarke County, William Merritt was convicted of larceny and sentenced to confinement in the county jail at Helena for ninety days from Jan. 15th 1879;

And Whereas, Such representations have been made by Cornelius Hedges Esq. the Probate Judge who tried the case, Chas M Jefferis, Sheriff of Lewis & Clarke County, E Wostoff, Chairman of the Board of County Commissioners, and others, that the said William Merritt may with propriety be pardoned by the Executive authority of this Territory:

Therefore, by virtue of the authority vested in me by the Organic Law and the laws of this Territory, I hereby grant a full Pardon to said William Merritt

In testimony whereof, I have set my hand and affixed the Great Seal of the Territory of Montana.

-Seal-

Done at Helena, the seat of government of said Territory this 4th day of April, A.D. 1879, and of the Independence of the United States the One hundred and third

James H Mills
Secretary & Acting Governor

Helena, Montana April 11th 1879
Executive Department

In pursuance of an act entitled "an act to protect the Treasurers of the Counties and of the Territory of Montana" approved February 15. 1877. I have this day examined the books of the Auditor and Treasurer of the Territory of Montana, and counted the funds in the hands of Treasurer and the amounts certified as deposited to his credit in the First National Bank of Helena and the Bank of L. H. Hershfield & Bro. I find the Books of the Auditor and Treasurer correspond; that the moneys received since last examination have been properly accounted for and that the Treasurer has on hand Eight thousand seven hundred and eighty three 74/100 ($8783.74/100) dollars. being the amount charged against him by the Auditor. The Statement and Trial Balance of the Auditor to March 31, 1879, and the statement of the Treasurer are filed herewith

Respectfully Submitted
James H Mills
Secretary & Acting Governor.

In the matter of the Pardon of Ethan Hexter

Territory of Montana
County of Lewis & Clarke

Executive office
Helena M.T. April 11, 1879.

Whereas, at the March Term, 1878, of the Third Judicial District of Montana Territory, held in and for said District, Ethan Hexter was convicted of the Crime of Burglary and sentenced to confinement in the United States Penitentiary at Deer Lodge City for the period of five years:

And Whereas, such representations have been made by Chief Justice Wade, before whom he was tried, Joseph K Toole Esq. District Attorney who prosecuted him; and Major Guido Ilges, to whose command Hexter belonged while under enlistment in the 7th Regt U.S. Infantry;

Therefore, by virtue of the authority vested in me as Secretary and acting Governor by the laws of the United States and the Territory of Montana, I hereby grant, subject to the conditions and penalties endorsed hereon, a Pardon to said Ethan Hexter and restore him to all of his civil rights so far as Executive authority extends

In testimony whereof I have set my hand and affixed the Great Seal of the Territory of Montana this 12th day of April

-Seal-

A.D. 1879. Done at Helena, the seat of government of said Territory, this 12th day of April A.D. 1879, and of the Independence of the United States the one hundred and third

James H Mills
Secretary and Acting Governor

-over-

Endorsement Territory of Montana
County of Deer Lodge } S.S.

I, John Dexter, under sentence in the United States Penitentiary at Deer Lodge W.T. for the term of five years for the crime of Burglary under the laws of Montana, and now Pardoned by the Executive of Montana on condition that I abstain from the use of all intoxicating liquors for one year from this date, and within ten days leave the territory of Montana without passing through the Counties of Lewis & Clarke, Meagher or Choteau, and never voluntarily return to Montana, do hereby accept the Pardon on the said conditions under penalty, if violating them to be re-arrested and re-imprisoned in the U.S. Penitentiary at Deer Lodge W.T. for the full term of my original sentence.

Dated at Deer Lodge M.T. this 16th day of April. A.D. 1879.

Signed in presence of.
E. D. Mill

The above condition was voluntarily signed April 16th 1879 by John Dexter in presence of E.D. Mill, guard. and Dexter same day for the Railroad. JW

In the Matter of the Insanity of Emanuel Perlo.

Territory of Montana
Executive Department }

It having been made to appear to me by a ~~copy~~ transcript of the Probate Court Proceedings, over the signature of Owen Emerson, Probate Judge of Deer Lodge County Montana Territory, that Emanuel Perlo of Deer Lodge County, Montana Territory, is insane and indigent, I have this day issued a warrant to the Sheriff of said County to forthwith convey the said Emanuel Perlo to the Territorial Insane Asylum at Warm Springs, Deer Lodge County and deliver him to Dr A.H. Mitchell, Contractor for the care and medication of the Indigent Insane

Helena April 21st 1879

James Mills
Secretary & Acting Governor

Territory of Montana
Executive Department }

In the Matter of the Insanity of
Mrs Martha Allen.

It having been made to appear to me by a transcript of the Probate Court proceedings of Custer County, Montana Territory, over the signature and seal of A Carmichael, Probate Judge of said County, and the accompanying Certificate of Dr A.S. Girard M.D. and D.F. McMillan, Chairman of the Board of Commissioners of said County, that Mrs Martha Allen is insane and indigent. I have this day issued a Warrant to the Sheriff of Custer County M.T. commanding him to forthwith convey the said Mrs Martha Allen to the Territorial Insane Asylum at Warm Springs, Deer Lodge County, and deliver her to Dr A.H. Mitchell, Contractor for the care and medication of the Indigent Insane.

Helena, M.T. May 8th 1879.

James Mills
Secretary & Act'g Governor

Territory of Montana
Executive Department

Helena June 2. 1879

Tilghman H. Cluett of Lewis and Clarke County was this day appointed and commissioned a Notary Public for the period of three years from this date subject to the advice and consent of the Legislative Council at its next Session

Attest
James H. Mills
Secretary

B. F. Potts
Governor

Territory of Montana
Executive Department

Helena June 11. 1879

William H. De Witt of Lewis and Clarke County was this day appointed and commissioned a Notary Public for the period of three years from this date subject to the advice and consent of the Legislative Council at its next Session

Attest
James H. Mills
Secretary

B. F. Potts
Governor

Territory of Montana
Executive Department

In the matter of the pardon of Daniel C. Conner

Whereas at the March term of the District Court in and for the second Judicial District, Territory of Montana, Daniel C. Conner was convicted of the crime of illegal voting at the General Election, 1878, and sentenced to confinement in the United States Penitentiary at Albany for the period of one year.

And whereas, such sentence has been made by Hon. Hiram H. Hale, Judge, Hon. A. J. Mantle — District Attorney, and Hundreds and Six other citizens, that said Daniel C. Conner may with propriety be pardoned by the Executive authority of this Territory;

Therefore by virtue of the authority vested in me as Governor by the Organic Act, and the laws of said Territory, I hereby grant a full pardon to said Daniel C. Conner and restore him to all of his civil rights so far as Executive authority extends.

Seal

In testimony whereof I have hereunto set my hand and caused the Great Seal of the Territory of Montana to be affixed.

Done at Helena, the capital of said Territory, this eleventh day of June, A.D. 1873, and of the Independence of the United States the one hundred and seventh.

B. F. Potts
Governor

Attest:
James Mills
Secretary

Proclamation

Whereas, the Eleventh Legislative Assembly of Montana Territory, and the Governor, certain Acts and Resolutions were passed by the Territory for legislative purposes, as required by the laws of congress.

And whereas, the laws of the United States and of the Territory of Montana provide that legislative assemblies shall be called together at stated periods, to transact business and other purposes.

And whereas, in said legislative assembly, it was deemed necessary to enact a law prescribing the time of the meeting of the legislative assembly of said Territory.

And whereas, Section one as approved by the laws passed at the last Session, entitled "An act

And whereas, Upon the legislative subject of legislation failed of enactment, the Governor

Now therefore, I, Benjamin F. Potts, Governor of Montana Territory, do hereby proclaim that the act which passed the approval of the President of the United States, it is hereby ordered that the Legislative Assembly of said Territory convene in extraordinary session at the Capitol of said Territory on the first day of July, A.D. 1873, at 12 o'clock M., of said day, to consider said important subject.

of legislation as the general welfare of the Territory may demand.

Seal

In testimony whereof I have hereunto set my hand and caused the Great Seal of the Territory to be affixed.

Done at Helena, Montana, the Capital, on this the fourteenth day of June in the year of Our Lord one thousand eight hundred and seventy nine, and of the Independence of the United States the one hundred and eighth.

By the Governor,
James Mills
Secretary

B. F. Potts

Appointment of Delegates from Montana Territory to the National Convention of the Boards of Trade to assemble in New York City June 18, 1879.

Executive Department,
Montana Territory,
Helena May 26, 1879.

At the request of the National Board of Trade the following persons are appointed as Delegates from the Territory of Montana to represent said Territory at the National Fair to be held in New York City in the year 1883, to wit: Martin Maginnis, A. H. Hershfield, H. G. Curtis and S. S. Hamilton.

Attest,
James Mills
Secretary

B F Potts
Governor

Territory of Montana,
Executive Department,

The requisition of the Governor of Pennsylvania having been filed in this office, requesting the surrender of Barclay Smith, a fugitive from justice of the said State of Pennsylvania, charged with the crime of embezzlement, a warrant was this day issued by C. M. Offers, Sheriff of Lewis and Clarke County, Montana Territory for the apprehension

of the said Barclay J. Smith and his delivery to Joseph Rue Esq. Sheriff Agent of the Governor of the said State of Pennsylvania, to be conveyed by him to the said State to be tried for the crime charged, and the said Sheriff is to make due return to this office of his proceedings thereon.

Attest: Helena June 27 1879

Amos J. Mills
Secretary.

B. F. Potts Governor

This is to certify that I have arrested the within named Barclay J. Smith, in pursuance of the within warrant, and have delivered the said Barclay J. Smith to Joseph Rue Esqr. as within commanded.

Dated this 28th day of June A.D. 1879

(Signed) Chas. M. Jeffers,
Sheriff of Lewis and Clarke Co. M.T.
By J. W. Hathaway Under Sheriff.

Territory of Montana,
Executive Department, } Helena July 16, 1879.

Insane Asylum, Warm Springs
July 2, 1879. Sheriff of Deer Lodge Co.
has delivered to me
the insane Patient, Charles Wolfe,
William Donovan Steward of Asylum

In the matter of the insanity
of
Charles Wolfe.

Territory of Montana,
Executive Department.

It having been made to appear to me by a transcript of the Probate Court proceedings of Deer Lodge County, Montana Territory, over the signature and seal of Owen Emerson, Probate Judge of said County, that Charles Wolfe of Deer Lodge County Montana Territory, is insane and indigent, I have this day issued a warrant to the Sheriff of said Deer Lodge County to forthwith convey the said Charles Wolfe to the Territorial Insane Asylum, at Warm Springs, Deer Lodge County, and deliver him to Dr. A. H. Mitchell, Contractor for the care and medication of the Indigent Insane.

Helena M.T. July 2, 1879.

B. F. Potts
Governor.

Attest,
James Hunter
Secretary.

Warm Springs, Deer Lodge Co.
July 10, 1879. Sheriff of Deer Lodge Co.
Received this day an Insane Patient,
Morgan Kenrons, Signed, Wm Kenrons,
Steward of Asylum

In the matter of the insanity
of
David Morgan.

Territory of Montana,
Executive Department,

It having been made to appear to me by a transcript of the Probate Court proceedings of Beaver Head County, Montana Territory, over the signature of Alvin F. Sears, Probate Judge, of said County, that David Morgan of Beaver Head County, Montana Territory, is insane and indigent; I have this day issued a warrant to the Sheriff of said Beaver Head County, to forthwith convey the said David Morgan to the Territorial Insane Asylum at Warm Springs, Deer Lodge, and deliver him to Dr. A. H. Mitchell, Contractor for the care and medication of the indigent Insane.

Helena M.T. July 2, 1879.

B. F. Potts
Governor

Attest,
James Hunter
Secretary

Territory of Montana,
Executive Department.

Helena July 5, 1879.

Joseph B. Brannon of Boston, State of Massachusetts, was this day appointed and commissioned a Commissioner of Deeds for Montana Territory in and for the State of Massachusetts for the period of three years from this date.

Attest:
James Mills
Secretary

B. F. Potts
Governor

Territory of Montana,
Executive Department.

Helena July 9, 1879.

To the President of the Council:

Sir:

I have the honor to nominate, and by and with the advice and consent of the Legislative Council, appoint and commission E. R. Klaus of Jefferson County, and Lionel E. Manning of Deer Lodge County, Notaries Public for the period of three years.

Attest:
James Mills
Secretary

Confirmed July 9, 1879.

B. F. Potts
Governor

Territory of Montana,
Executive Department.

Helena July 10, 1879.

To the President of the Council:

Sir:

I have the honor to nominate, and by and with the consent ~~of the~~ and advice of the Legislative Council, appoint and commission John F. Forbis of Butte City, Montana, Notary Public for the period of three years from the date of confirmation.

Respectfully,

B. F. Potts
Governor.

Attest:
James Mills
Secretary.

Territory of Montana,
Executive Department,

Helena July 2, 1879.

Richard M. Brinckle, of New York City, State of New York, was this day appointed and Commissioned a Commissioner of Deeds for Montana Territory in and for the State of New York for the period of three years from this date

Attest,
James Mills
Secretary,

B. F. Potts
Governor.

Executive Department,
Territory of Montana,

Helena July 2, 1879.

To the President of the Council,
Sir:

I have the honor to nominate and by and with the advice and Consent of the Legislative Council, appoint and Commission the following persons Notaries Public for the period of three years from the date of Confirmation,

Gustavus Wolf,	Missoula	County
Anderson Baker	"	"
Filghman H. Clewell	Lewis and Clarke	"
William H. H. Mitt	" "	"
A. P. Warren	Custer	"

Respectfully

B. F. Potts
Governor.

Confirmed July 9, 1879
Attest,
James Mills
Secretary.

In the matter of the insanity of
William G. Pennell

Territory of Montana,
Executive Department,

It having been made to appear to me by a certificate of the Chairman of the Board of County Commissioners of Gallatin County, Montana Territory, that William G. Pennell of said Gallatin County is insane and indigent, I have this day issued a warrant to the Sheriff of Gallatin County to forthwith

Warrant of M. F. McKenzie, Sheriff of Gallatin Co. M. G. Pennell, an indigent insane person, for maintenance and medication.
Warm Springs, Aug. Judge Lot. Mitchell
M. T. July 8, 1879 Signed & Entered

convey the said William J. Sewell to the Territorial Asylum at Warm Springs, Deer Lodge County and deliver him to Dr. A. H. Mitchell, Contractor for the care and medication of the Indigent Insane

Helena M. T. July 1, 1879.

B. F. Potts
Governor

Attest,
James Mills
Secretary.

Montana Territory,
Executive Department,

Helena July 16, 1879.

To the President of the Council,

Sir:

I have the honor to nominate, and by and with the advice and consent of the Legislative Council, appoint and commission Charles W. Turner, of Beaver Head County, Notary Public for three years from date of confirmation. Confirmed July 16, 1879.

Respectfully,

B. F. Potts
Governor.

Attest,
James Mills
Secretary.

Council Chamber
July 17. 1879

Hon B. F. Potts.
Governor of Montana

Sir:- I am instructed by the Council to notify you that the Council in Executive Session on the 16th inst. confirmed the following nominations for Notaries Public, to wit.

John F. Forbis of Butte City and
Charles W Turner of Beaverhead County

Respectfully
Harry R Conely
Chief Clerk of the Council.

Territory of Montana
Executive Department

Helena M.T. July 18, 1879

Sir:

I have the honor to nominate, and by and with the advice and consent of the Legislative Council, appoint and Commission John H. Shober of Lewis & Clarke County Notary Public for the period of three years. Confirmed July 18, 1879.

Respectfully

B. F. Potts
Governor

Hon A. H. Mitchell
President of the Council

attest
James Mills
Secretary

Territory of Montana
Executive Department

Helena M.T. July 18, 1879

Sir: I have the honor to nominate, and by and with the advice and consent of the Legislative Council, appoint and Commission Joseph J. Williams Notary Public for the term of three years.

Confirmed July 18, 1879. Respectfully

Hon A. H. Mitchell
President of the Council

B. F. Potts
Governor

Attest,
James Mills Secretary,

Territory of Montana,
Executive Department,

Helena July 19, 1879

Hon A. H. Mitchell
President of the Council

Sir:

I have the honor to nominate, and by and with the consent of the Legislative Council appoint and commission Haden E. Riddle of Lewis and Clarke County, Notary Public for the term of three years

Confirmed July 21, 1879. Respectfully

B. F. Potts
Governor

Attest
James Mills
Secretary

Executive Department
Territory of Montana,
Helena July 21st 1879.

To the Legislative Assembly:

Your attention is again invited to the subject of the keeping and maintaining the Insane of the Territory. The law should be amended so as to authorize the appointment of a reputable Physician to visit the Asylum and examine each inmate at least once per quarter and report on their condition, their medical treatment, the adaptability of the place of confinement, and the names of those if any who have so far recovered that they may with safety be discharged. I trust you will take early and liberally action upon this subject.

Your attention is also invited to the fact that the accommodations for a further number of Convicts in the United States Penitentiary at Deer Lodge are limited and provision should be made by law for the confinement of Convicts elsewhere unless they cannot be kept at Deer Lodge. It is now and evident that Congress will not provide an appropriation for the building of a wing to the present building and if the number of Convicts increase in the future as rapidly as they have in the last two years the prison above will be wholly inadequate. A contract can be made for the keeping of Convicts with the Nebraska Penitentiary at Lincoln at a cost of forty cents per day. I respectfully recommend that when the prisons accommodations at Deer Lodge are insufficient that authority be granted to make a contract for keeping Convicts sentenced for long terms elsewhere upon the cheapest liberal terms that can be obtained.

I have obtained from the United States a reduction of twenty five cents per day for keeping Convicts at the United States Penitentiary at Deer Lodge on and after August first next.

Respectfully

B. F. Potts
Governor

Attest:
Samuel Hauser
Secretary

Territory of Montana
Executive Department,
Helena July 21, 1879

To the President of the Council
Sir:

I have the honor to nominate, and by and with the advice and consent of the Legislative Council appoint and commission John M. H. Green of Jefferson County Notary Public for the term of three years from the date of confirmation

Confirmed July 21, 1879

Respectfully
B. F. Potts
Governor

Attest,
James Mills
Secretary

Montana Territory,
Executive Department,
Helena July 21, 1879.

To the Council,

I have the honor to return to the Council C. B. No 5, entitled "An Act reapportioning the members of the Legislative Assembly of the Territory of Montana," without my approval.

This bill violates the law of Congress which requires that the apportionment of members of the Legislative Assembly shall be made according to population.

I cannot consent to have the law of Congress disregarded, or to have the apportionment of members of the Legislative Assembly made according to County lines instead of population. The people should be represented and not Territorial area. It cannot be claimed that this bill was framed to comply with the law, but to answer the demands of a local minority.

I regret to be compelled to disagree with the Legislative Assembly upon this question but I cannot consent to the passage of the bill without a protest.

Respectfully,
B F Potts
Governor

Attest,
James Mills
Secretary

Territory of Montana,
Executive Department,

Helena July 21, 1879.

To the House of Representatives

I have the honor to inform the House of Representatives that I have this day approved House Bill No. 8, entitled An Act to enable the people of Butte to erect a school-house, Also

H. B. No. 3, entitled An Act with reference to fees of Clerks of the District Courts and the law regulating the same, Also

H. B. No. 15 entitled An Act concerning Stallions

H. B. No. 6 entitled An Act to enable the people of Helena School District No. 1 to erect a school-house,

H. B. No. 2, entitled An Act to amend An Act entitled An Act to incorporate the town of Butte

H. B. No. 11, entitled An Act to provide for publishing certain volumes by the Historical Society of Montana,

Respectfully,

B. F. Potts
Governor,

Attest,
James Mills
Secretary,

Montana Territory,
Executive Department,

Helena July 21, 1879.

To the House of Representatives,

I have the honor to return to the House of Representatives, H. B. No. 25 entitled "An Act to amend the Revenue Laws", with my approval,

The bill reduces the Territorial tax the present year, which I understand was not contemplated by the author of the bill,

The reduction of the Territorial revenue the present year will not be in harmony with the new funding act, nor do I believe it would be keeping faith with warrant holders,

The tax for the present year has already been made and I recommend that it be not disturbed by legislation,

Respectfully,

B. F. Potts
Governor

Attest,
James Mills
Secretary.

Montana Territory,
Executive Department, } Helena July 22. 1879.

To the President of the Council,
Sir:

I have the honor to nominate, and by and with the consent and advice of the Legislative Council, appoint and commission Thomas G. Sorrey of Lewis and Clarke County, Notary Public for the term of three years from the date of confirmation.

Respectfully,
B. F. Potts
Governor.

Attest, Confirmed July 22, 1879.
James Mills
Secretary.

Montana Territory,
Executive Department } Helena July 22, 1879.

To the Council,

I have the honor to inform the Council that I have this day approved
C. B. No. 13, entitled An Act to amend Chapter XVIII of the General and Miscellaneous Laws of the Territory of Montana, also
C. B. No. 6, entitled An Act to provide for licensing commercial travelers, also
C. B. No. 1, entitled An Act concerning foreign corporations, also
C. J. R. No. 2, appropriating money to pay committee clerks.

Respectfully,
B. F. Potts
Governor

Attest,
James Mills
Secretary.

Territory of Montana,
Executive Department, } Helena July 22, 1879.

To the House of Representatives,

I have the honor to inform the House of Representatives that I, on the 21st day of July, 1879, approved

H. B. No. 27 entitled An Act authorizing the Governor of Montana to empower United States Deputy Mineral Surveyors to perform certain acts and duties, Also
H. B. No. 9 entitled An Act to provide for the funding of the outstanding indebtedness and the redemption of the ten per cent. bonds of the Territory of Montana, Also
H. B. No. 13 entitled An Act to enforce the Helena incorporation act, Also on the 22d day of July, 1879, I approved
H. B. No. 16 entitled An Act to provide compensation for the clerks of the District Courts, Also
H. B. No. 32 entitled An Act to encourage the construction of artesian wells in the Territory of Montana, Also
H. B. No. 36 entitled An Act to promote the fishing interests of the Territory of Montana, Also
H. B. No. 5 entitled An Act to amend the Torrens Law, Also
H. B. No. 19 entitled An Act to amend an act concerning licenses, Also
H. B. No. 20 entitled An Act to establish and regulate the fees of the Secretary of Montana Territory, Also,
H. B. No. 29 entitled An Act in relation to fees of County Clerks,

Respectfully,

B. F. Potts
Governor,

Attest,
Secretary,

The Territory of Montana }
Lewis and Clarke County } ss.

I, Williams J. Galbraith, do solemnly swear that I have never voluntarily borne arms against the United States since I have been a citizen thereof; that I have voluntarily given no aid, countenance, counsel, or encouragement to persons engaged in armed hostility thereto; that I have neither sought nor accepted nor attempted to exercise the functions of any office whatever under any authority or pretended authority in hostility to the United States; that I have not yielded a voluntary support to any pretended government, power, or constitution within the United States hostile or inimical thereto; and I do further swear that to the best of my knowledge and ability I will support

and defend the Constitution of the United States against all enemies foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

Signed, Wm. J. Galbraith,

Sworn to before me and subscribed in my presence this the first day of August A. D. 1879.

Attest,
James Mills
Secretary,

B. F. Potts
Governor.

In the matter of the insanity of
David M. Hagerty.

Montana Territory, }
Executive Department }

Helena August 9. 1879

It having been made to appear to me by the certificate of the Chairman of the Board of County Commissioners of Madison County, Territory of Montana, that David M. Hagerty of Madison County is insane and and indigent I have this day issued a warrant to the Sheriff of said Madison County to forthwith convey the said David M. Hagerty to the Territorial Insane Asylum at Warm Springs, Deer Lodge County and deliver him to Dr. A. H. Mitchell, Contractor for the care and medication of the indigent insane.

Attest,
James Mills
Secretary.

B. F. Potts
Governor.

In the matter of the pardon of
Charles B. Clay.

Territory of Montana, }
Executive Department,

Whereas at the November term of the

District Court, 1873, held in the County of Gallatin, Montana Territory, Charles F. Clay was convicted of the crime of assault with intent to commit murder, and sentenced to confinement in the United States Penitentiary at Ohio Sedge for the period of ten years;

And whereas, such representations have been made to me by the petition of 286 citizens of Montana Territory, and by reason of his uniform good behavior while in prison that he may with propriety be pardoned by Executive authority of this Territory;

Therefore by virtue of the authority vested in me as Governor by the laws of the United States, and the Territory of Montana, I hereby grant a full pardon to the said Charles F. Clay, and restore him to all his civil rights so far the Executive authority extends,

Seal

Given under my hand and the Great Seal of the Territory of Montana at Helena, the Capital, this 14th day of August A.D. 1879.

B.F. Potts
Governor

Attest,
James Hulls
Secretary,

Territory of Montana,
Executive Department,
Helena Aug. 9. 1879.

To Hiram Knox,
Granville Stuart
and John N. Walsen,
Gentlemen

In pursuance of law you are appointed a board of commissioners to locate and contract for the erecting of an asylum at such place in the Territory as in your judgment you may deem best.

B.F. Potts
Governor

Attest,
James Hulls
Secretary

Montana Territory
Executive Department
Helena August 21, 1879

Walcott B. Smith of the city of Omaha, State of Nebraska, was this day appointed and commissioned

a Commissioner of Deeds for Montana Territory in and for the State of Nebraska for the period of three years from this date.

Attest,

James Mills
Secretary.

B. F. Potts
Governor.

In the matter of the insanity of Joseph Kuserman

Territory of Montana,
Executive Department,

Helena August 25. 1879.

Having been made to appear to me by a transcript of the proceedings of the Probate Court of Deer Lodge County, Montana Territory that Joseph Kuserman of said Deer Lodge County is insane and indigent, I have this day issued a warrant to the Sheriff of said Deer Lodge County to forthwith convey the said Joseph Kuserman to the Territorial Insane Asylum at Warm Spring, Deer Lodge County and deliver him to Dr. A. H. Mitchell, Contractor for the care and maintenance of the Territorial Insane.

Attest,

James Mills
Secretary.

B. F. Potts
Governor.

Montana Territory,
Executive Department,

Helena Aug. 25. 1879.

Henry M. Hill of Jefferson County was this day appointed and commissioned a Notary Public for the period of three years from this date subject to the action and control of the Legislative Council at its next Session.

Attest,

James Mills
Secretary.

B. F. Potts
Governor.

Territory of Montana
Executive Department

Helena August 26, 1879

To the Sheriff of Choteau County
Sir:

Orlando H. Marsh and Joseph K. Cable, convicted of the crime of murder in the District Court for Choteau County on the 23d day of April A.D. 1879, and sentenced to be hanged on the 5th day of September A.D. 1879 under the authority vested in me by the laws of the United States and of this Territory, granted a respite for the period of thirty days from said 5th day of September A.D. 1879.

You will not cause the sentence to be executed in the case of the said Marsh and Cable until the expiration of said thirty days.

You will please acknowledge the receipt of this communication.

Attest,
James Mills
Secretary.

B.F. Potts
Governor.

In the matter of the insanity
of
Oscar Orlin

Helena September 1st 1879

Territory of Montana
Executive Department

It having been made to appear to me by a transcript of the proceedings of the Probate Court of Deer Lodge County, Montana Territory that Oscar Orlin of said Deer Lodge County is insane and indigent, I have this day issued a warrant to the Sheriff of said Deer Lodge County to forthwith convey the said Oscar Orlin to the Territorial Insane Asylum at Warm Springs, Deer Lodge County, and deliver him to Dr. A.H. Mitchell, Contractor for the care and maintenance of the Territorial Insane.

Attest,
James Mills
Secretary.

B.F. Potts
Governor.

In the matter of the insanity
of
Isaac Pokonsky

It having been made to appear to me by the certificate of Dr. Wm. S. Stell County Physician of Deer Lodge and Clarke County and also the certificate of the Chairman of the Board of County Commissioners of said County that Isaac Pokonsky is insane and indigent I have this day issued a warrant to the Sheriff of Deer Lodge and Clarke County Montana Territory to forthwith convey the said Isaac Pokonsky to the Territorial Asylum for the Insane at Warm Springs Deer Lodge County, and deliver him to Dr A. H. Mitchell, Contractor for the care and maintenance of the Territorial Insane.

Executive Department
Territory of Montana } Helena August 28, 1879.
Attest:
[signature]
Secretary.

B. F. Potts
Governor.

Territory of Montana
Executive Department } Helena September 10, 1879.

John H. Todd of Deer Lodge and Clarke Counties was this day appointed and commissioned a Notary Public for the period of three years from this date subject to the advice and consent of the Legislative Council at its next Session.

Attest:
[signature]
Secretary

B. F. Potts
Governor

Territory of Montana
Executive Department } Helena, September 15, 1879

Basil M. Boyle of Chouteau County was this day appointed and commissioned a Notary Public for the period of three years from this date subject to the advice and consent of the Legislative Council at its next session.

Attest: [signature]
Secretary

B. F. Potts Governor

Territory of Montana
Executive Department

Helena September 15, 1879

George R. Fagan of the City of New York, State of New York, was this day appointed and commissioned a Commissioner of Deeds for this Territory in and for the State of New York for the period of three years from this date

By Order

B. F. Potts
Governor

Thos. H. Wells
Secretary

In the matter of the pardon of

William J. Parks

Territory of Montana
Executive Department

Whereas at the term of the Police Court, 1879, held in and for the City of Butte, Deer Lodge County, Montana Territory, William J. Parks was convicted of the crime of Assault and Battery, and sentenced to confinement in the county jail at Deer Lodge City for the period of six months

And whereas, Such representations have been made to me by Hon. C. S. Warren, Police Judge of Butte City, M. T., Thos. J. Nile, Clerk, and twenty-two hundred other good citizens of Butte City that said William J. Parks may with propriety be pardoned by the Executive authority of this Territory

Now, through virtue of the authority vested in me as Governor by the Organic Act and the laws of this Territory, I hereby grant a full pardon to said William J. Parks and release him of all of his civil rights so far as Executive authority extends upon the express condition that the said Parks will forever abstain from the use of intoxicating liquors as a beverage,

Seal
Territory
Montana

In testimony whereof I have set my hand and caused the Great Seal of the Territory of Montana to be affixed;

Done at Helena, the Capital of said Territory this 16th day of September A.D. 1879, and of the Independence of

The United States to wit

Attest:
James Mills
Secretary

B. F. Potts
Governor

Condition "A"

I, William G. Parks, voluntarily agree and bind myself that if I am pardoned by the Governor of this Territory, and released from imprisonment, I will forever abstain from the use of intoxicating liquors as a beverage, and will pay all costs incurred by my trial and imprisonment, keeping Meagher County free from all expense.

Signed W. G. Parks

Meagher County, Mon'r,
September 18, 1879.
Attest as witness
James H. Mills
Peter Gilfeather

In the matter of the insanity
of
John Sloddem

It having been made to appear to me by the certificate of Dr. S. Ming M.D. of Beaverhead County, Montana Territory, that John Sloddem of said Beaverhead County is insane and indigent.

I have this day issued a warrant to the Sheriff of Beaverhead County to forthwith convey the said John Sloddem to the Insane Asylum at Warm Spring, Deer Lodge County and deliver him to Dr. U. H. Mitchell the Contractor for the care and medication of the indigent insane of this Territory

Territory of Montana
Executive Department
Helena September 17, 1879

B. F. Potts
Governor

Attest
James Mills
Secretary

Territory of Montana
Executive Department

Helena Sept. 1. 1879

Sir:

Two Soldiers of Captain Meade's Company, 3d Infantry, were convicted at the April term of the District Court of Choteau County (1879) of the crime of murder, and sentenced to be hanged on the 25th inst. The conviction was obtained by the testimony of an accomplice, and since the trial the body of the murdered man has been found and identified. The place where the body was found, and the character of the wounds directly contradict the testimony of the accomplice given on the trial.

In view of the facts developed since the trial I have respited the men for 30 days that I may be able to examine the case fully.

In order to arrive at a correct conclusion I regard it as important that I have a personal conference with Captain Meade of the 3d Infantry, and I respectfully request that he be ordered to Helena for that purpose. The murdered man, and the men alleged to have committed the murder, were all members of his Company, and he was an important witness on the trial. The witness, (accomplice) who testified on the trial for the prosecution now asserts that this confession was extorted from him while in prison, by the Sheriff of Choteau County. The case is enveloped in mystery, and I want to make every effort to unravel it.

I trust you will be pleased to grant my request.

Very Respectfully,

B.F. Potts
Governor.

Col. Thomas H. Ruger,
18th Infantry, U.S.A.,
Commanding Post,
Fort Assiniboine,
Montana.

Attest:
[illegible]
Secretary.

Territory of Montana,
Executive Department,
Helena September 16th 1879.

The application of Cable and Marsh for the commutation of the sentence of death to that of imprisonment for life for the murder of Patrick Farrell has been denied.

As the expiration of the respite will fall on Sunday you will execute the sentence of the law on Monday October the 6th A.D. 1879 between the hours of ten A.M. and two P.M. of said day. The respite is extended until Friday the said 6th day of October A.D. 1879.

You will communicate to Cable and Marsh the decision of this office on the application for commutation of sentence.

Very Respectfully,
B. F. Potts
Governor

To J. J. Healy, Esq.
Sheriff &c.
Fort Benton,
M.T.

Attest,
James Mills
Secretary

In the matter of the insanity
of
Sidney M. Hall

Territory of Montana
Executive Department,
Helena, September 24th 1879.

Of having been made to appear to me by the certificate of the Probate Judge of Deer Lodge and Clarke County, Montana Territory, that Sidney M. Hall of said Lodge and Clarke County is insane and indigent.

I have this day issued a warrant to the Sheriff of Deer Lodge and Clarke County to forthwith convey the said Sidney M. Hall to the Insane Asylum at Warm Springs, Deer Lodge County, and deliver him to Dr. A. H. Mitchell, the Superintendent for the care and medication of the Territorial Insane.

Attest,
James Mills
Secretary

B. F. Potts
Governor

In the matter of the pardon of

Edward Hunt

Territory of Montana

Executive Department

Whereas at the October term of the District Court in and for Silver Bow County, Territory of Montana, held on the 17th day of September A.D. 1879, Edward Hunt was convicted of the crime of exhibiting liquors in a saloon, and that said crime was committed within said County and Territory of Montana, and

And whereas such representations have been made to me by the Probate Judge of Silver Bow and Clark Counties, and the other principal officers of said counties, that the said Edward Hunt was in fact innocent of said crime, and that the said conviction was procured by the perjury of witnesses for the prosecution, and

Now, therefore, I, the undersigned, Governor of the Territory of Montana, do hereby grant a full pardon to the said Edward Hunt, and restore him to all his civil rights so far as the same extend upon the express condition that the said Edward Hunt will forever abstain from the use of intoxicating liquors as a beverage, and will pay all costs incurred in his trial and conviction.

Given under my hand and seal of the Territory of Montana this fifth day of October A.D. 1879 and in the twelfth year of the United States.

Seal

B. F. Potts
Governor

Attest:
Wm. Cullen Campbell
Secretary

Conditions

I, Edward Hunt, understand and promise that if I am pardoned by the Governor of Montana for the crime for which I am now a convict, I will abstain from the use of intoxicating liquors as a beverage, and will pay all costs incurred in my trial and conviction.

Witness: Edward Hunt
Mrs. L. Gerhard

Territory of Montana
Executive Department

Helena October 16 1879

Francis E. De Trude of Ravalli County was this day appointed and commissioned a Notary Public for the term of three years from date hereof and the day of September A.D. 1879 subscribed by the Governor and the Secretary of the Legislative Assembly of the said Territory and the seal of said

B. F. Potts
Governor

James Mills
Secretary

Territory of Montana
Executive Department

Helena October 17. 1879

Samuel Gennison of the State of Massachusetts was this day appointed and commissioned a Commissioner of Deeds for the Territory of Montana in and for the State of Massachusetts for the period of three years from this date

Attest

B. F. Potts
Governor

James Mills
Secretary

Territory of Montana
Executive Department

Helena October 24, 1879

Ernestus V. Geer of the State of California was this day appointed and commissioned a Commissioner of Deeds for the Territory of Montana in and for the State of California for the period of three years from this date

Attest

B. F. Potts
Governor

James Mills
Secretary

In the matter of the insanity of

Henry Lewis

Territory of Montana
Executive Department

Helena October 24. 1879

It having been made to appear to me by the certificate of the Probate Judge of Lewis and Clarke County, Montana Territory that Henry Lewis of said County is insane and indigent

I have this day issued a warrant to the Sheriff of said Lewis and Clarke County to forthwith convey the said Henry Lewis to the Insane Asylum at Warm Springs, Deer Lodge County and deliver him to Dr. A. H. Mitchell, the contractor for the care and medication of the Territorial Insane

Attest
[illegible]
Secretary

B. F. Potts
Governor

In the matter of the insanity
of
Stephen Mendz

Territory of Montana
Executive Department

Helena November 5. 1879

It having been made to appear to me by the certificate of the Probate Judge of Deer Lodge County, Montana Territory, that Stephen Mendz of said County is insane and indigent,

I have this day issued a warrant to the Sheriff of Deer Lodge County to forthwith convey the said Stephen Mendz to the Insane Asylum at Warm Springs, Deer Lodge County, and deliver him to Dr. A. H. Mitchell, the contractor for the care and medication of the Territorial Insane,

Attest
[illegible]
Secretary

B. F. Potts
Governor

Territory of Montana
Executive Department

Helena November 10, 1879

Lawrence A. Brown of Deer Lodge County was this day appointed and commissioned a Notary Public for the period of three years from this date subject to the advice and consent of the Legislative Council at its next session.

Attest.

James Sullivan
Secretary.

B. F. Potts
Governor.

Thanksgiving Proclamation.

In the name and by the authority of the Territory of Montana:

In obedience to an ancient custom and in compliance with the recommendation of the President of the United States, I appoint Thursday, the 27th day of November, A.D. 1879, as a day of Thanksgiving and prayer to the Giver of every good and perfect gift that we have enjoyed during the present year, and I appeal to all classes of our citizens to observe said day by abstaining from all secular labor.

Each returning year brings new blessings, which we should publicly acknowledge, and no year since civil government was organized within the limits of this Territory has the festival of blessings been so conspicuous as the one now about to close.

Our thanks are due for the abundance of the harvest and for the general prosperity that has attended the labors of our people; for the general diffusion of knowledge and the repression of vice; for the religious toleration and brotherly kindness that exists in our commonwealth towards all races and conditions of men; for general health and renewed prosperity, and for the preservation of liberty and peace in the nation.

In testimony whereof, I have hereunto set my hand and caused the Great Seal of the Territory to be affixed.

Done at Helena, the Capital, this 8th day of November, A.D. 1879, and of the Independence of the United States of America the one hundred and fourth.

Seal

By the Governor B. F. Potts

Secretary

Territory of Montana
Executive Department

Helena Nov. 17, 1879.

Columbus Bean of Gallatin County was this day appointed and commissioned a Notary Public for the period of three years from this date subject to the advice and consent of the Legislative Council at its next Session.

B. F. Potts
Governor

James Hills
Secretary

Territory of Montana
Executive Department

The requisition of the Governor of California having been filed in this office requesting the surrender of Charles Blum, a fugitive from justice of the said State of California, charged with the crime of fraud, a warrant was this day issued to the Sheriff of New Judge County, Montana Territory, for the apprehension of the said Charles Blum, and his delivery to Joseph Napthaly Esq. the agent of the Governor of the said State of California, to be conveyed by him to the said State to be tried for the crime charged; and the said Sheriff is to make due return to this office of his proceedings thereon.

Helena November 21st 1879

B. F. Potts
Governor

Attest
Secretary

Territory of Montana
Executive Department

The warrant issued from this office on the 21st day of November A.D. 1879, for the arrest of Charles Blum, on the requisition of the Governor of California is hereby revoked, and the same is null and void.

Given under my hand and the Seal of the Territory of Montana, this the 24th day of November A.D. 1879.

Seal

B. F. Potts
Governor

Attest
Secretary

Territory of Montana
Executive Department

Helena December 3, 1879

It having been made to appear to me by the certificate and affidavit of Dr. D. A. McDonell and Charles T. Rader of Meagher County and also by the certificate of the Chairman of the Board of County Commissioners of said Meagher County M.T. that Isaac Seitz of said County is insane and indigent;

I have this day issued a warrant to the Sheriff of Meagher County M.T. to forthwith convey the said Isaac Seitz to the Insane Asylum at Warm Springs, Deer Lodge County, and deliver him to Dr. A. H. Mitchell the Contractor for the care and medication of the Territorial insane

Attest
James Mills
Secretary

B. F. Potts
Governor

Territory of Montana,
Executive Department,

Helena December 8, 1879.

Robert L. McCulloh of Sioux and Clark Counties was this day appointed and commissioned a Notary Public for the period of three years from this date subject to the advice and consent of the Legislative Council at its next Session.

Attest,
James Mills
Secretary

B. F. Potts
Governor

Territory of Montana,
Executive Department,

Helena December 11. 1879

Charles T. Sonier of the city of New Orleans, State of Louisiana, was this day appointed and commissioned a Commissioner of Deeds for Montana Territory in and for the State of Louisiana for the period of three years from this date.

Attest,
James Mills
Secretary

B. F. Potts
Governor

Territory of Montana,
Executive Department,

Helena December 11, 1879,

It having been made to appear to me by the certificate of the Probate Judge of Madison County, Montana Territory, that Michael Boyle of said Madison County is insane and indigent;

I have this day issued a warrant to the Sheriff of Madison County, Montana Territory, to forthwith convey the said Michael Boyle to the Insane Asylum at Warm Springs, Deer Lodge County, and deliver him to Dr. A. H. Mitchell, Contractor for the care and medication of the Territorial indigent insane.

Attest,
James Mills
Secretary,

B. F. Potts
Governor,

In the matter of the insanity of

Seig Kim, "Chumaumma"

Territory of Montana,
Executive Department,

Helena December 11, 1879,

It having been made to appear to me by the certificate of the Probate Judge of Madison County, Montana Territory, that Seig Kim, "Chumaumma" of said County is insane and indigent;

I have this day issued a warrant to the Sheriff of Madison County, Montana Territory, to forthwith convey the said Seig Kim to the Insane Asylum at Warm Springs, Deer Lodge County, and deliver him to Dr. A. H. Mitchell, Contractor for the care and medication of the indigent insane of this Territory,

Attest
James Mills
Secretary,

B F Potts
Governor

In the matter of the pardon
of
Isaac Gilmore

Territory of Montana,
Executive Department,
Helena December 18, 1879.

Whereas, a petition has been presented to me signed by the jurors who found the verdict in the case of Territory of Montana, Plaintiff, vs. Isaac Gilmore, praying for the pardon of said Isaac Gilmore who was convicted of the crime of grand larceny at the November term of the Dist. Court in and for Missoula County and sentenced to pay a fine of one hundred dollars and imprisonment in the Penitentiary at Deer Lodge for the term of one year,

And, Whereas, the said petition has been referred to the Hon. N. J. Galbraith, Associate Justice of Montana Territory, before whom the case was tried and who sentenced the said Isaac Gilmore, and to the Hon. A. E. Mayhew, Dist. Attorney, who prosecuted the case and who have both declined to recommend said pardon,

Therefore, having given the said petition due consideration the application is rejected.

B. F. Potts
Governor

Attest,
James Mills
Secretary

In the matter of the pardon
of
Benjamin Thompson,

Territory of Montana,
Executive Department,
Helena December 30, 1879.

Whereas, a petition has been presented to me signed by four of the jurors who rendered the verdict in the case of the Territory of Montana vs. Benjamin Thompson, and by two hundred and eleven other good, and influential citizens of Madison County praying for the pardon of the said Benjamin Thompson who was convicted of the crime of manslaughter at the September term of the District Court in A.D. 1877

held in and for Madison County, Territory of Montana, and sentenced to confinement in the Penitentiary for the term of Six years,

And, whereas, by the representation of M. M. Botkin Esq. Warden of the Penitentiary, it appears that the said Benjamin Thompson has during his confinement in the Penitentiary ~~to~~ conducted himself in an exemplary manner,

Therefore, by virtue of the authority vested in me as Governor by the laws of the United States, and of this Territory, I hereby grant a full pardon to the said Benjamin Thompson, and restore him to all his civil rights so far as Executive authority extends, upon the express condition that the said Benjamin Thompson will forever abstain from the use of intoxicating liquors as a beverage.

Given under my hand and the Great Seal of the Territory of Montana this thirtieth day of December A.D. 1879.

Seal

Attest

Lucius H. Mills
Secretary

B. F. Potts
Governor

Conditions

I, Benjamin Thompson, do hereby voluntarily accept the conditions of my pardon dated December 30th 1879, and bind myself to forever abstain from the use of intoxicating liquors as a beverage, under the penalty of being arrested and imprisoned for the balance of my term.

(Signed) Ben Thompson

Witness James H. Mills

Alder Gulch, Montana,
December 30, A.D. 1879.

Territory of Montana,
Executive Department,
Helena January 5th 1880

Frederick A. Tilinghast was this day appointed and commissioned a Commissioner of Deeds for the Territory of Montana in and for the State of New York for the period of three years from this date,

Attest,
James Mills
Secretary

B. F. Potts
Governor

Territory of Montana,
Executive Department,
Helena January 14, 1880

Frances K. Armstrong of Gallatin County was this day appointed and commissioned a Notary Public for the period of three years from this date, subject to the advice and consent of the Legislative Council at its next session.

Attest,
James Mills
Secretary,

B. F. Potts
Governor,

Recorded January 19, 1880

Territory of Montana,
Executive Department,
Helena January 15, 1880

Having been made to appear to me by the certificate of the Probate Judge of Choteau County, Montana Territory, that William Short of said County is insane and indigent; I have this day issued a warrant to the Sheriff of said Choteau County to forthwith convey the said William Short to the Territorial Insane Asylum at Warm Springs, Deer Lodge County, and deliver him to Dr. A. H. Mitchell, the Contractor for the care and medication of the Indigent Insane of this Territory,

Attest,
James Mills
Secretary,

B. F. Potts
Governor

Territory of Montana,
Executive Department.

Helena January 20, 1880

Thomas R. Edwards of Gallatin County was this day appointed and commissioned a Notary Public for the period of three years from this date subject to the advice and consent of the Legislative Council at its next session,

B. F. Potts
Governor,

Attest,
James Mills
Secretary,

Territory of Montana,
Executive Department.

Helena January 21, 1880

Joseph H. Harper of Deer Lodge County was this day appointed and commissioned a Notary Public for the period of three years from this date subject to the advice and consent of the Legislative Council at its next session.

B. F. Potts
Governor,

Attest,
James Mills
Secretary,

Territory of Montana,
Executive Department.

Helena January 26, 1880

James W. Bell of the City of Boston, State of Massachusetts, was this day appointed and commissioned a Commissioner of Deeds for this Territory and for the State of Massachusetts for the period of three years from this date,

B. F. Potts
Governor.

Attest,
James Mills
Secretary,

Territory of Montana,
Executive Department,

Helena February 7, 1880

Charles Edgar Mills, of the State of New York was this day appointed and commissioned a Commissioner of Deeds for the Territory of Montana in and for the State of New York for the period of three years from this date.

B. F. Potts
Governor

Attest:
James Mills
Secretary

In the matter of the insanity of
James H. Finley

Territory of Montana,
Executive Department,

Helena February 16 1880

It having been made to appear to me by the certificate of the Probate Judge of Madison County, Montana Territory, that James H. Finley of said County is insane and judging by this order issued a warrant to the Sheriff of said Madison County to furnish one person the said James H. Finley to the Insane Asylum at Warm Springs, Deer Lodge County and delivered him to Dr. A. H. Mitchell, the Superintendent for the care and medication of the unfortunate insane of this Territory.

B. F. Potts
Governor

Attest:
James Mills
Secretary

United States of America,
Territory of Montana,
First Judicial District S.S.
County of Madison.

I, Emilie E. Conger, do solemnly swear that I have never voluntarily borne arms against the United States since I have been a citizen thereof; that I have voluntarily given no aid, countenance, counsel, or encouragement to persons engaged in armed hostility thereto; that I have neither sought, nor accepted, nor attempted to exercise the functions of any office whatever

under any authority, or pretended authority in hostility to the United States; that I have not yielded a voluntary support to any pretended government, authority, power, or constitution within the United States, hostile or inimical thereto; and I do further swear that to the best of my knowledge and ability I will support and defend the Constitution of the United States against all enemies, foreign and domestic; and that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will support the Organic Act of the Territory of Montana and the Acts of Congress amendatory thereto, and that I will well and faithfully discharge the duties of the office of Associate Justice of the Supreme Court of the Territory of Montana, on which I am about to enter. So help me God.

Everton J. Conger

Subscribed and sworn to before me this 2d day of March A.D. 1880.

(Signed) Thos. Muffly
Justice of the Peace in and for said County

Attest
James Mills
Secretary

B F Potts
Governor

Territory of Montana
Executive Department

Helena March 8, 1880

It having been made to appear to me by the certificate of the Probate Judge of Lewis and Clarke County, Montana Territory, that Andrew Hussold of said County is insane and indigent, I have this day issued a warrant to the Sheriff of said Lewis and Clarke County to forthwith convey the said Andrew Hussold to the Insane Asylum at Warm Springs, Deer Lodge County and deliver him to Dr. A. H. Nitchell, the Contractor for the care and medication of the indigent insane of this Territory

Attest
James Mills
Secretary

B. F. Potts
Governor

Territory of Montana
Executive Department

Helena Mar. 15. 1880

It having been made to appear to me by the certificate of the Probate Judge of Meagher County, Montana Territory, that Theodore Henckes of said County is insane and indigent, I have this day issued a warrant to the Sheriff of said Meagher County to forthwith convey the said Theodore Henckes to the Insane Asylum at Warm Springs, Deer Lodge County, and deliver him to Dr. A. H. Mitchell, the Contractor for the care and medication of the indigent insane of this Territory.

B. F. Potts
Governor

Attest,
James Mills
Secretary

Territory of Montana
Executive Department

Helena March 15, 1880

George M. Mills of Custer County, was this day appointed and commissioned a Notary Public for the period of three years from this date subject to the advice and consent of the Legislative Council at its ensuing session

Attest,
James Mills
Secretary

B. F. Potts
Governor

In the matter of the pardon of
Charles Fushay

Territory of Montana
Executive Department

Whereas at the March term of the Probate Court of Silver and Clark Counties, Montana Territory held on the 4th day of March A.D. 1880 Charles Fushay was convicted of the crime of disturbing the peace and sentenced to confinement in the County Jail of said County for the period of ten months;

And, whereas a petition has been presented to me signed by the Chairman of the Board of County Commissioners of Silver and Clark Counties and fifteen other good citizens of said County praying for his par-

And whereas, sufficient representations have been made to me that the said Charles Pushaw may with propriety be pardoned by the Executive authority of the Territory.

Therefore be it, by virtue of the authority vested in me as Governor by the laws of the United States and of this Territory, I hereby grant a full pardon to the said Charles Pushaw and restore him to all his civil rights so far as Executive authority extends upon the condition that the said Charles Pushaw shall pay all the costs of his trial and conviction holding said Sanders and Clarke County clear from all expense therefor.

Given under my hand and the Great Seal of the Territory of Montana, at Helena, the Capital, this Seventeenth day of March, A.D. 1880

Seal

B. F. Potts
Governor

Attest:
James Mills
Secretary

Territory of Montana
Executive Department }

Helena March 18, 1880

A. C. Smith, of Custer County, was this day appointed and commissioned a Notary Public for the period of three years from this date, subject to the action and consent of the Legislative Assembly at its next Session.

Attest:
James Mills
Secretary

B. F. Potts
Governor

Territory of Montana
Executive Department }

Whereas satisfactory evidence has been presented to me by a transcript of the proceedings of the Probate Court of Missoula County, Montana Territory, attested by the seal of said Court, that Benjamin C. Mainford of said Missoula County is charged with the crime of grand larceny and that a warrant has been issued for his arrest and that he has departed this Territory and is now a resident of the Territory of Washington;

I have this day issued a requisition

the Governor of said Territory of Washington for the arrest of the said Benjamin O. Rainford and his delivery to Peter Scheffer, the Messenger of Montana Territory, to be by him conveyed to Missoula County to be tried for the crime charged against him.

Witness my hand and the Seal of this Territory this 19th day of March, at Helena the Capital, A.D. 1880

Seal.

B.F. Potts
Governor

Attest
James Mills
Secretary

Territory of Montana,
Executive Department,
Helena March 24, 1880

Charles L. Curtis of Lewis and Clarke County was this day appointed and commissioned a Notary Public for the period of three years from this date, subject to the advice and consent of the Legislative Council at its next Session.

B.F. Potts
Governor

Attest
James Mills
Secretary

Territory of Montana,
Executive Department,
Helena March 30, 1880

Alexander O. Elder of Jefferson County was this day appointed and commissioned a Notary Public for the period of three years from this date, subject to the advice and consent of the Legislative Council at its next Session.

B.F. Potts
Governor

Attest,
James Mills
Secretary,

Territory of Montana,
Executive Department }

Helena April 9, 1880.

John H. Rogers of Lewis and Clarke County was this day appointed and commissioned a Notary Public for the period of three years subject to the advice and consent of the Legislative Council at its next Session.

B. F. Potts
Governor

James Mills
Secretary

In the matter of the pardon of
William Brooks

Territory of Montana,
Executive Department }

Whereas at a term of the District Court in and for Lewis and Clarke County, Montana Territory, held on the 15th day of January A.D. 1880 William Brooks was convicted of the crime of petit larceny and sentenced to confinement in the County Jail of Lewis and Clarke County for the period of six months;

And Whereas such representations have been made to me by Hon. W. S. Wade Chief Justice of Montana Territory that the said William Brooks may with propriety be pardoned by the Executive authority of this Territory;

Therefore by virtue of the authority vested in me as Governor by the laws of the United States and of this Territory I hereby grant full pardon to the said William Brooks, and restore him to all his civil rights so far as Executive authority extends; upon the express condition that the said William Brooks shall forever abstain from the use of intoxicating liquors as a beverage;

Seal

Given under my hand and the Great Seal of the State of Montana, at Helena the Capital this fifteenth day

B. F. Potts

James Mills
Secretary

Condition of pardon of William Hooks

Territory of Montana
County of Deer Lodge & Clark } S.S.

I, William Hooks, being first duly sworn, depose and say that I accepted the pardon this day granted by His Excellency, Geo. W. Pott, upon the condition therein contained, that I entirely abstain from the use of all intoxicating liquors, and I hereby solemnly pledge myself not to use, in any form, any intoxicating liquor of any kind or name whatever so long as I shall live and this pledge and promise under the penalty of being sent again to jail to serve out the balance of the time for which I was sentenced.

his
William X Hooks
mark

O. S. Hadley

Sworn to before me and subscribed in my presence this 15th day of April 1880.

O. S. Hadley,
Chief Justice of Montana.

In the matter of the Insanity
of
John B. Henderson

Territory of Montana,
Executive Department } Helena April 16, 1880,

It having been made to appear to me by a transcript of the proceedings of the Probate Court of Deer Lodge County, Montana Territory, that John B. Henderson of said County is insane and indigent:

I have this day issued a warrant to the Sheriff of said Deer Lodge County to forthwith convey the said John B. Henderson to the Asylum for the Insane at Warm Springs, Deer Lodge County, and deliver him to Dr. A. H. Mitchell, the Contracter for the care and medication of the indigent insane of this Territory.

B. F. Potts
Governor

Attest:
James Mills
Secretary

Recorded Aug. 24, 1880

Territory of Montana,
Executive Department,

Helena April 17, 1880

David M. Evans of Jefferson County was this day appointed and Commissioned a Notary Public for the period of three years from this date subject to the advice and Consent of the Legislative Council at its next Session,

Attest,
James Mills
Secretary,

B. F. Potts
Governor.

Territory of Montana,
Executive Department,

Helena April 20, 1880

Wallace R. Page of Madison County was this day appointed and Commissioned a Notary Public for the period of three years from this date subject to the advice and Consent of the Legislative Council at its next Session,

Attest,
James Mills
Secretary,

B. F. Potts
Governor,

Territory of Montana,
Executive Department,

Helena, April 20, 1880

It having been made to appear to me by the certificate of the Chairman of the Board of County Commissioners of Jefferson County, Montana Territory, and also the certificate of Dr. A. F. Rudd of said County, that Herman Kennemberg of said Jefferson County is insane and indigent.

I have this day issued a warrant to the Sheriff of Jefferson County, Montana Territory to forthwith convey the said Herman Kennemberg to the Insane Asylum at Warm Springs, Deer Lodge County, and deliver him to Dr. A. H. Mitchell, the Contractor for the care and medication of the indigent insane of this Territory.

Attest,
James Mills
Secretary,

B. F. Potts
Governor,

Territory of Montana,
Executive Department.

Whereas, at the October term of the District Court, 1873, held in and for Beaverhead County, Montana Territory, William H. Heinsman was convicted of the crime of grand larceny and sentenced to confinement in the United States Penitentiary at New Sodje City, for the period of ten years;

And, Whereas, Such representations have been made to me by Warden Botkin and other citizens that said William H. Heinsman may with propriety be pardoned by the Executive authority of this Territory;

Therefore, by virtue of the authority vested in me as Governor by the laws of the United States and of this Territory, I hereby grant a full pardon to said William H. Heinsman ~~and restore him to all his civil rights so far as Executive authority extends.~~

Seal

In testimony thereof, I have hereunto set my hand and caused the Great Seal of this Territory to be affixed.

Done at Helena, the Capital, this sixth day of May, A.D. 1880, and of the Independence of the United States the one hundred and fourth.

B. F. Potts
Governor.

Attest,
James Mills
Secretary.

Territory of Montana,
Executive Department.

Whereas, at the October term of the District Court, 1873, held in and for Beaverhead County, Montana Territory, Donald McLean was convicted of the crime of grand larceny and sentenced to confinement in the United States Penitentiary at New Sodje City for the period of ten years;

And whereas, Such representations have been made to me by Warden Botkin and other citizens that said Donald McLean may with propriety be pardoned by the Executive authority of this Territory;

Therefore by virtue of the authority vested in me as Governor by the laws of the United States and this Territory, I hereby grant a full pardon to said Donald McLean ~~and restore him to all his civil rights so far as Executive authority extends.~~

In testimony whereof I have set my hand and caused the Great Seal of the Territory of Montana to be affixed.

Seal

Done at Helena, the Capital this Sixth day of May A.D. 1880, and of the Independence of the United States the one hundred and fifth.

B. F. Potts
Governor

Attest,
James Mills
Secretary

Territory of Montana,
Executive Department.

Helena, May 8, 1880.

Harry R. Comly of Lewis and Clarke County was this day appointed and commissioned a Notary Public for the period of three years from this date subject to the advice and consent of the Legislative Council at its next Session.

B F Potts
Governor

Attest,
James Mills
Secretary,

Territory of Montana,
Executive Department.

Helena, May 8. 1880.

William H. Hunt of Choteau County was this day appointed and commissioned a Notary Public for the period of three years from this date subject to the advice and consent of the Legislative Council at its next Session.

B. F. Potts
Governor

Attest,
James Mills
Secretary,

Territory of Montana,
Executive Department.

Helena May 15. 1880.

Charles Nettleton of New York City, State of New York, was this day appointed and commissioned a Commissioner of Deeds for Montana Territory in and for the State of New York for the period of three years from this date.

B. F. Potts
Governor

Attest
James Mills

Territory of Montana,
Executive Department,

Helena May 15, 1880,

James Maney of Gallatin County, was this day appointed and commissioned a Notary Public for the period of three years from this date subject to the advice and consent of the Legislative Council at its next session.

Attest,
James Mills
Secretary,

B. F. Potts
Governor,

Territory of Montana,
Executive Department,

Helena May 19, 1880,

William H. Geffney was this day appointed and commissioned a Notary Public for the period of three years from this date subject to the advice and consent of the Legislative Council at its next session,

Attest
James Mills
Secretary

B. F. Potts
Governor,

Territory of Montana,
Executive Department,

Helena, May 22, 1880,

Timothy E. Collins, of Choteau County, was this day appointed and commissioned a Notary Public for the period of three years from this date, subject to the advice and consent of the Legislative Council at its next session,

Attest,
James Mills
Secretary,

B. F. Potts
Governor,

Territory of Montana
Executive Department

Helena May 21, 1880,

Joseph G. Maris of Gallatin County, was this day appointed and commissioned a Notary Public for the period of three years from this date, subject to the advice and consent of the Legislative Council at its next session.

Attest
James Mills Secretary

B. F. Potts
Governor

Territory of Montana,
Executive Department,

Helena May 31, 1880,

Silas Hughes of Deer Lodge County, was this day appointed and commissioned a Notary Public for the period of three years from this date subject to the advice and consent of the Legislative Council at its next session.

Attest,
James Mills
Secretary

B. F. Potts
Governor.

Territory of Montana,
Executive Department,

Helena June 4, 1880,

John E. Beall of Washington City, D.C., was this day appointed and commissioned a Commissioner of Deeds for the Territory of Montana in and for the District of Columbia for the period of three years from this date.

Attest,
James Mills
Secretary,

B. F. Potts
Governor,

Territory of Montana,
Executive Department,

Helena June 5, 1880

It having been made to appear to me by the certificate of the Probate Judge of Deer Lodge County, Montana Territory, that Michael Fensler of said Deer Lodge County, who undergoing sentence in the Penitentiary at Deer Lodge, is insane and indigent;

I have this day issued a warrant to the Sheriff of said Deer Lodge County to forthwith convey the said Michael Fensler to the Asylum at Warm Springs, Deer Lodge County, and deliver him to Dr. A. H. Mitchell, the contractor for the care and medication of the indigent insane of this Territory.

Attest,
James Mills
Secretary,

B. F. Potts
Governor

Territory of Montana,
Executive Department,

Helena June 8, 1880,

It having been made to appear to me by the certificate of the Probate Judge of Silver Bow County, Montana Territory, that John Selins of said County is insane and indigent;

I have this day issued a warrant to the Sheriff of said County to forthwith convey the said John Selins to the Asylum at Warm Springs, Deer Lodge County and deliver him to Dr. A. H. Mitchell, the Contractor for the care and medication of the indigent insane of this Territory,

Attest,
James Mills
Secretary,

B. F. Potts
Governor

Territory of Montana,
Executive Department,

Helena June 11, 1880

It having been made to appear to me by the certificate of Probate Judge Silver Bow Co. that Waller G. Stephens of Deer Lodge County, Montana Territory is insane and indigent;

I have this day issued a warrant to the Sheriff of said County to forthwith convey the said Waller G. Stephens to the Asylum at Warm Springs, Deer Lodge County and deliver him to Dr. A. H. Mitchell, the Contractor for the care and medication of the indigent insane of this Territory,

Attest,
James Mills
Secretary

B. F. Potts
Governor

Territory of Montana,
Executive Department,

Helena June 12, 1880,

J. Paul Dier of Philadelphia, State of Pennsylvania, was this day appointed and Commissioned a Commissioner for the Territory of Montana residing in the State of Pennsylvania, for the period of three years from this date,

Attest,
James Mills
Secretary,

B. F. Potts
Governor

Territory of Montana,
Executive Department,

Helena, June 18, 1880.

Gilbert Benedict of Lewis and Clarke County was this day appointed and commissioned a Notary Public for the period of three years from this date subject to the advice and consent of the Legislative Council at its next session.

Attest,
James Mills
Secretary,

B. F. Potts
Governor,

Territory of Montana,
Executive Department,

Helena June 30, 1880,

It having been made to appear to me by the certificate of the Probate Judge of Deer Lodge County Montana Territory, that John Mahoney of said County is insane and indigent;

I have this day issued a warrant to the Sheriff of Deer Lodge County to forthwith convey the said John Mahoney to the Asylum at Warm Springs, Deer Lodge County and deliver him to Dr. A. H. Mitchell, the Contractor for the care and medication of the indigent insane of this Territory,

Attest,
James Mills
Secretary,

B. F. Potts
Governor,

Territory of Montana,
Executive Department,

Helena July 1, 1880,

It having been made to appear to me by the certificate of Dr. Wm. S. Stitt, County Physician, that one Peter Fleming of Jefferson County, Montana Territory, is insane and indigent;

I have this day issued a warrant to the Sheriff of said Jefferson County to forthwith convey the said Peter Fleming to the Asylum at Warm Springs, Deer Lodge County and deliver him to Dr. A. H. Mitchell, the Contractor for the care and medication of the indigent insane of this Territory.

Attest,
James Mills
Secretary,

B. F. Potts
Governor,

Territory of Montana,
Executive Department,

Helena July 6, 1880

William J. Waterhouse of the City of Detroit, State of Michigan, was this day appointed and commissioned a Commissioner of Deeds for the Territory of Montana to reside in the State of Michigan for the period of three years from this date,

Attest,
James Mills
Secretary,

B. F. Potts
Governor,

Territory of Montana,
Executive Department,

Helena July 9, 1880

Samuel L. Taylor of the City of Philadelphia, State of Pennsylvania, was this day appointed and commissioned a Commissioner of Deeds to reside in the State of Pennsylvania, for the Territory of Montana, for the period of three years from this date,

Attest,
James Mills
Secretary,

B. F. Potts
Governor,

Territory of Montana,
Executive Department, }

Whereas at the March term of the District Court held in the County of Lewis and Clark, Montana Territory, A.D. 1871 George Dixon was convicted of the crime of murder in the second degree and sentenced to confinement in the Penitentiary at Deer Lodge for the period of twenty years;

And Whereas I have serious doubts as to the guilt of of the said George Dixon, and as he has been faithful in observing the rules and regulations of the Penitentiary during his imprisonment; I hereby grant a full pardon to the said George Dixon, by virtue of the authority vested in me as Governor by the laws of the United States and of this Territory,

Given under my hand and the Great Seal of the Territory of Montana, at Helena, the Capital, this Seventeenth day of July A.D. 1880.

Seal,

Attest,
James Mills
Secretary,

B.F. Potts
Governor,

Territory of Montana,
Executive Department, }

Helena July 23. 1880

George B. Foote of Lewis and Clark County was this day appointed and commissioned a Notary Public for the period of three years from this date subject to the advice and consent of the Legislative Council at its next Session,

Attest,
James Mills
Secretary,

B.F. Potts
Governor,

Territory of Montana,
Executive Department,

The requisition of the Governor of Wyoming Territory having been filed in this office, requesting the surrender of Jack Campbell, a fugitive from justice from said Territory, charged with the crime of murder, a warrant was this day issued directed to the Sheriff of Custer County, Montana Territory for the arrest and delivery of said Jack Campbell to James G. Rankin to be by him conveyed to the said Territory of

Wyoming, to be there tried for the crime charged; and the said Sheriff of Custer County to make due return of his proceedings therein.

Given under my hand and the Seal of the Territory of Montana this, twenty-third day of July A.D. 1880.

Seal.

B.F. Potts
Governor.

Attest,
James Mills
Secretary.

Territory of Montana,
Executive Department.

Helena, July 29, 1880.

Joseph B. Nones of the City and County of New York, was this day appointed and commissioned a Commissioner of Deeds for the Territory of Montana, to reside in the State of New York, for the period of three years from this date.

B.F. Potts
Governor.

Attest,
James Mills
Secretary.

Territory of Montana,
Executive Department,

Helena, July 30, 1880.

George Budd of Gallatin County was this day appointed and commissioned a Notary Public for the period of three years from this date subject to the advice and consent of the Legislative Council at its next Session.

B.F. Potts
Governor.

Attest,
James Mills
Secretary.

Territory of Montana,
Executive Department,

Whereas at a term of the Probate Court in and for the County of Lewis and Clarke, Montana Territory, held on the 27th day of June, A.D. 1880, one Charles Miller was convicted of the crime of assault and battery, and sentenced to imprisonment in the County Jail of said County, for the period of three months;

And whereas representations have been made to me by

Hon. Cornelius Hedges, Probate Judge, and E. M. Hoyt, Chairman of the Board of County Commissioners of said County of Lewis and Clarke, that the said Charles Miller may with propriety be pardoned by the Executive authority of this Territory.

Therefore, by virtue of the authority vested in me as Governor, by the laws of the United States and of this Territory, I hereby grant a full pardon to the said Charles Miller.

Seal,

In witness whereof I have hereunto set my hand and caused the great Seal of the Territory to be affixed, at Helena, the Capital, this thirty-first day of July, A.D. 1880.

B. F. Potts
Governor.

Attest,
James H. Mills
Secretary.

Proclamation

Whereas: The Board of Apportionment designated by an act of Congress providing for the re-apportionment of the members of the Legislatures in the Territories of Montana, Idaho and Wyoming, approved June 3, A.D. 1880 have re-apportioned the Territory of Montana for legislative purposes as follows, to wit;

The counties of Madison, Jefferson, Gallatin and Custer shall constitute one Council District and shall jointly elect four members of the Legislative Council,

The counties of Deer Lodge, Beaverhead and Missoula shall constitute one Council District and shall jointly elect four members of the Legislative Council,

The counties of Lewis and Clarke, Meagher, Choteau and Dawson shall constitute one Council District and shall jointly elect four members of the Legislative Council,

The members of the House of Representatives are apportioned by counties as follows;

The county of Beaverhead one member,

The county of Missoula one member,

The counties of Beaverhead and Missoula, jointly, one member,

The county of Deer Lodge six members,

The county of Madison two members,

The county of Jefferson one member,

The counties of Madison and Jefferson, jointly, one member,

The county of Gallatin two members

The county of Custer one member,
The county of Meagher one member,
The counties of Custer and Meagher jointly one member,
The county of Silver Bow and Clarke four members,
The counties of Chouteau and Dawson jointly two members,

Now therefore, I Benjamin F. Potts, Governor of the Territory of Montana, in pursuance of said act of Congress do issue Proclamation for the election of members of the Legislature by the people in accordance with the aforesaid apportionment; the said election to be held in the several counties of the Territory on the date fixed by law,

Seal,

In testimony whereof I have hereunto set my hand and caused the Great Seal of the Territory of Montana to be affixed,

Done at Helena, the Capital, this the 21st day of August A.D. 1880.

By the Governor,

B F Potts

Attest,
James Hennessy
Secretary,

Territory of Montana,
Executive Department,

Helena August 24, 1880

The appointment of and commission issued as Notary Public to David McEvans of Jefferson County Montana Territory is this day revoked for cause and the said David McEvans will from this date desist from exercising the duties and enjoying the privileges of said office.

B F Potts
Governor,

Attest
James Hennessy
Secretary

Territory of Montana,
Executive Department,

Helena September 21, 1880,

John M. Marsh of Silver Bow and Clarke County was this day appointed and commissioned a Notary Public for the period of three years from this date subject to the advice and consent of the Legislative Council at its next session.

James Hennessy Secretary B F Potts Governor

In the matter of the pardon of
Felicita Sanchez.

Territory of Montana,
Executive Department,

Whereas at the November term of the District Court in and for Missoula County, A.D. 1878. Felicita Sanchez was convicted of the crime of manslaughter and sentenced to confinement in the Penitentiary at Deer Lodge, Deer Lodge County, for the term of three years;

And whereas, a petition has been presented to me by divers good citizens praying that the said Felicita Sanchez may be pardoned by the Executive authority of this Territory

Therefore by virtue of the authority vested in me as Governor by the Laws of the United States and of this Territory I hereby grant a full pardon to the said Felicita Sanchez, and restore her to all her civil rights so far as Executive authority extends upon the express condition that said Sanchez shall depart from this Territory within ninety days from this date and never return to same.

In testimony whereof, I have set my hand and caused the Great Seal of the Territory of Montana to be affixed,

Seal,

Done at Helena, the Capital of said Territory, this 17th day of September, A.D. 1880, and of the Independence of the United States the one hundred and fifth,

B F Potts
Governor,

Attest,
James Willis
Secretary,

Conditions

I, Felicita Sanchez, now a prisoner in the United States Penitentiary at Deer Lodge, M.T., of my own free will and accord do hereby voluntarily accept the within pardon on the condition that within ninety (90) days from the date hereof, I will depart from the Territory of Montana and never return to the same,

Dated at Deer Lodge, M.T. this 18th day of September A.D. 1880,

Witness my hand
Signed— Felicita Sanchez,

Signed in presence of—
W. W. Botkin James Willis

Territory of Montana,
Executive Department,

Whereas, at the March term of the District Court, 1876, held in and for Madison County, Montana Territory, John L. Corbett was convicted of the crime of incest and sentenced to confinement in the United States Penitentiary at Deer Lodge for the period of ten years;

And whereas, such representations have been made to me by Dr. E. T. Gager, Hon. Samuel Word, James G. Spratt District Attorney and a large number of other citizens that said John L. Corbett may with propriety be pardoned by the Executive authority of this Territory;

Therefore by virtue of the authority vested in me as Governor by the laws of the United States and of this Territory, I hereby grant a full pardon to said John L. Corbett and restore him to all of his civil rights so far as Executive authority extends,

In testimony whereof, I have set my hand and caused the Great Seal of the Territory of Montana to be affixed,

Seal,

Done at Helena, the Capital of said Territory this 27th day of September, A.D. 1880 and of the Independence of the United States the one hundred and fifth.

Attest,
James H. Wells
Secretary,

B. F. Potts
Governor

Territory of Montana,
Executive Department,

Whereas, at the November term of the District Court, 1877, held in and for Deer Lodge and Clarke County, Montana Territory, Daniel Shraier was convicted of the crime of assault with intent to commit a rape and sentenced to confinement in the United States Penitentiary at Deer Lodge for the period of ~~twelve~~ seven years;

And whereas, such representations have been made to me by Hon. W. S. Wade, Chief Justice of Montana Territory, Hon. J. K. Toole, District Attorney who prosecuted the case and other citizens that said Daniel Shraier may with propriety be pardoned by the Executive authority of this Territory;

Therefore by virtue of the authority vested in me as Governor by the laws of the United States and of this Territory

I hereby grant a full pardon to said Daniel Shrader and restore him to all his civil rights so far as Executive authority extends.

In testimony whereof, I have set my hand and caused the Great Seal of the Territory of Montana to be affixed.

Seal,

Done at Helena, the Capital of said Territory this 27th day of September, A.D. 1880, and of the Independence of the United States the one hundred and fifth.

Attest,
James H. Mills
Secretary,

B. F. Potts
Governor,

Territory of Montana,
Executive Department,

Helena Sept. 22, 1880,

It having been made to appear to me by testimony of the Chairman of the Board of County Commissioners of Madison County, Montana Territory, that Ann E. Spray of said Madison County is insane and indigent;

I have this day issued a warrant to the Sheriff of said County to forthwith convey the said Ann E. Spray to the Asylum at Warm Springs, Deer Lodge County, and deliver her to Dr. A. H. Mitchell, the Contractor for the care and medication of the indigent insane of this Territory.

Attest
James H. Mills
Secretary,

B. F. Potts
Governor,

In the matter of the pardon of
Daniel Russell

Territory of Montana,
Executive Department,

Whereas, at the March term of the District Court, 1878, held in and for Madison County, Daniel Russell was convicted of the crime of assault with intent to kill and sentenced to confinement in the United States Penitentiary at Deer Lodge City for the period of four years;

And whereas, such representations have been made by Hon. James G. Sprott, District Attorney, Dr. A. H. Mitchell, E. S. Stickpole and twenty other citizens of this Territory, that

said Daniel Russell may with propriety be pardoned by the Executive authority of this Territory;

Therefore by virtue of the authority vested in me as Governor by the laws of the United States and of this Territory, I hereby grant a full pardon to said Daniel Russell and restore him to all of his civil rights so far as Executive authority extends,

In testimony whereof I have set my hand and caused the Great Seal of the Territory of Montana to be affixed,

Seal

Done at Helena, the Capital of said Territory this first day of October A. D. 1880, and of the Independence of the United States the one hundred and fifth,

B. F. Potts
Governor,

Attest,
James Mills
Secretary,

Territory of Montana,
Executive Department. } Helena October 14, 1880.

George Follett of the City of Brooklyn, State of New York, was this day appointed and commissioned a Commissioner of Deeds for the Territory of Montana, to reside in the State of New York, for the period of three years from this date,

B. F. Potts
Governor.

Attest,
James Mills
Secretary,

Territory of Montana,
Executive Department } Helena October, 18, 1880

Nicholas B. Ringeling was this day appointed and commissioned a Notary Public for the period of three years from this date subject to the advice and consent of the Legislative Assembly at its next session,

B. F. Potts
Governor,

Attest,
James Mills
Secretary,

Territory of Montana,
Executive Department,

Helena October 19, 1880.

A.G. Hatch of Meagher County was this day appointed and commissioned a Notary Public for the period of three years from this date subject to the advice and consent of the Legislative Council at its next session.

Attest,
James H. Mills
Secretary.

B.F. Potts
Governor.

Territory of Montana,
Executive Department,

Helena, October 23, 1880.

Cyrus E. Kemp of Jefferson County was this day appointed and commissioned a Notary Public for the term of three years from this date subject to the advice and consent of the Legislative Council at its next session.

Attest,
James H. Mills
Secretary.

B.F. Potts
Governor.

Thanksgiving Proclamation

In accordance with the Proclamation of the President of the United States, I hereby appoint Thursday, November 25th, 1880, to be kept throughout the Territory as a day of Thanksgiving and Prayer. Let us keep it with the same devotion that our fathers did who instituted the custom. Let it be a day of rest to all; abstaining from all secular labor and devoting the day to joyful thanksgiving for the blessings that we as a people have enjoyed. Let us pray that the blessings of the Father may still be upon our Territory, our local institutions and our homes; and while we are giving thanks let us especially remember those who are desolate and oppressed, so that the words of the Master may be said unto us: "I was an hungered and ye gave me meat; I was thirsty and ye gave me drink; I was a stranger and ye took me in; naked and ye clothed me; I was sick and ye visited me; I was in prison and ye came unto me."

Given at the Executive Department, Helena, Montana, this November 3d A.D. 1880.

and of the Independence of the United States, the one hundred and fifth.

B. F. Potts

By the Governor

James Mills Secretary.

Territory of Montana,
Executive Department } Helena November 12, 1888

Arthur H. O'Connor was this day appointed and commissioned a Notary Public for the period of three years from this date subject to the advice and consent of the Legislative Council at its next session.

Attest,

B. F. Potts
Governor.

James Mills
Secretary.

Territory of Montana,
Executive Department, } Helena November 12, 1888,

Charles H. Countryman of Gallatin County was this day appointed and commissioned a Notary Public for the period of three years from this date subject to the advice and consent of the Legislative Council at its next session,

Attest,

B. F. Potts
Governor,

James Mills
Secretary,

Territory of Montana,
Executive Department. } Helena November 12, 1888

Hiram K. Edwards of Choteau County was this day appointed and commissioned a Notary Public subject to the advice and consent of the Legislative Council at its next session, for the period of three years from this date.

Attest,

B. F. Potts
Governor,

James Mills
Secretary,

In the matter of the insanity
of
George W. C. Hibbs

Territory of Montana,
Executive Department, } Helena, November 12, 1880,

It having been made to appear to me by the transcript of proceedings of the Probate Court of Deer Lodge County, Montana Territory, that George W. C. Hibbs of said County is insane and indigent;

I have this day issued a warrant to the Sheriff of said Deer Lodge County to forthwith convey the said George W. C. Hibbs to the Asylum for the insane at Warm Springs Deer Lodge County and deliver him to Dr. A. H. Mitchell the contractor for the care and medication of the indigent insane of this Territory.

Attest,
James H. Mills
Secretary.

B. F. Potts
Governor.

In the matter of the insanity
of
Lea F. Marston

Territory of Montana,
Executive Department, } Helena November 12, 1880,

It having been made to appear to me by the certificates of the Chairman of the Board of County Commissioners of Gallatin County and Dr. M. S. Wright of said County that Lea F. Marston of said County is insane and indigent;

I have this day issued a warrant to the Sheriff of Gallatin County to forthwith convey the said Lea F. Marston to the Insane Asylum at Warm Springs, Deer Lodge County and deliver her to Dr. A. H. Mitchell, the contractor for the care and medication of the indigent insane of this Territory;

Attest,
James H. Mills
Secretary.

B. F. Potts
Governor.

Territory of Montana,
Executive Department,

Helena, November 18, 1880.

It having been made to appear to me by a transcript of proceedings of the Probate Court of Beaverhead County, Montana Territory, that Alexander Boyd of said County is insane and indigent I have this day issued a warrant to the Sheriff of said Beaverhead County to forthwith convey the said Alexander Boyd to the Asylum at Warm Springs, Deer Lodge County and deliver him to Dr. A. H. Mitchell, the Contractor for the care and medication of the indigent insane of this Territory.

Attest,
James Mills
Secretary,

B. F. Potts
Governor,

Territory of Montana,
Executive Department,

Helena, November 26, 1880,

Herbert P. Rolfe of Choteau County, was this day appointed and commissioned a Notary Public for the period of three years from from this date subject to the advice and consent of the Legislative Council at its next session.

Attest,
James Mills
Secretary,

B. F. Potts
Governor,

Territory of Montana,
Executive Department,

Helena December 6, 1880,

A. R. Barrows of Meagher County, was this day appointed and commissioned a Notary Public for the period of three years from this date subject to the advice and consent of the Legislative Council at its next session,

Attest,
James Mills
Secretary,

B. F. Potts
Governor,

Territory of Montana,
Executive Department.

The following is a correct abstract of votes polled at a General Election held in the several Counties of Montana Territory on Tuesday, November Second, A.D. 1880, for Delegate to represent said Territory in the Forty-Seventh Congress of the United States, as canvassed by Alexander C. Botkin U.S. Marshal for the District of Montana, and H. H. Motes, Territorial Treasurer, in presence of B. F. Potts, Governor of said Territory, on the second day of December, A.D. 1880, at Helena, the Capital of the Territory aforesaid,

Counties	Martin Maginnis	Wilbur F. Sanders	Scattering	Totals
Beaverhead	826	603		1429
Choteau	503	237		740
Custer	763	433		1196
Deer Lodge				
Gallatin	616	711		1327
Jefferson	610	428	Wm Whitetons 1	1039
Lewis & Clarke	1005	1081		2086
Madison	651	651		1302
Meagher	608	394		1002
Missoula	463	186		649
	6,045	4,724	1	10,770

And furthermore; The said Board of Canvassers also found a paper purporting to be an abstract of the votes given in Deer Lodge County, signed by one member of the Board of County Canvassers, from which it appears that Martin Maginnis received 1754 votes, Wilbur F. Sanders received 1657 votes, and Sample Orr 1 vote; also a paper signed by two members of said Board protesting against the legality of said return, The said Territorial Board of Canvassers decided that the said paper purporting to be an abstract was not a lawful abstract of the votes given in said County of Deer Lodge and appointed W. Wallace Botkin a Messenger to demand such an abstract as the law requires, The Board thereupon adjourned for one week; And thereafter, to wit, on the sixth day of December, 1880, the said Messenger demanded of the County Clerk of said County a lawful abstract of the votes given in said County, but the said Clerk failed and refused to furnish any other return than the one already forwarded,

The said Board of Territorial Canvassers having re-assembled in pursuance of adjournment on the ninth day of December, A.D. 1880, decided to exclude the return of

votes alleged to have been given in said County from the above tabulated statement,

We, the undersigned, hereby certify that the foregoing abstract and statement are true and correct,

Done in my presence,
B. F. Potts, Governor,

O. H. Nestor
Territorial Treasurer,
Alex C. Botkin
U. S. Marshal

Attest,
James Mills
Secretary

United States of America
Territory of Montana } ss.

I, Benjamin F. Potts, Governor of the Territory of Montana, do hereby certify that at a General Election held in said Territory on Tuesday the Second day of November, A.D. 1880, in pursuance of law, Martin Maginnis was legally elected Delegate to represent said Territory in the Forty-Seventh Congress of the United States, he having received the highest number of votes cast at said election for said office.

In testimony whereof I have hereunto set my hand and caused the Great Seal of the Territory to be affixed.

Seal

Done at Helena, the Capital of said Territory, this Ninth day of December, A.D. one thousand eight hundred and eighty.

B. F. Potts
Governor,

Attest,
James Mills
Secretary.

In the matter of the pardon of
Peter Adamson,

Whereas at the June term of the District Court, 1880, held in and for Beaverhead County, Montana Territory, Peter Adamson was convicted of the crime of grand larceny and sentenced to confinement in the United States Penitentiary at Deer Lodge City for the period of two years;

And whereas, such representations have been made me by Hon. A. E. Mayhew, District Attorney, H. Kirkendall,

John Kinna and twelve other citizens that said Peter Adamson may with propriety be pardoned by the Executive authority of this Territory;

Therefore by virtue of the authority vested in me as Governor by the Organic Act and the laws of this Territory, I hereby grant a full pardon to said Peter Adamson upon the express condition that he forever abstain from the use of intoxicating liquors as a beverage.

In testimony whereof I have set my hand and caused the Great Seal of the Territory of Montana to be affixed.

Seal.

Done at Helena, the Capital, this thirteenth day of December, A.D. 1880, and of the Independence of the United States the one hundred and fifth.

Attest,
James Mills
Secretary.

B.F. Potts
Governor.

Condition of Pardon.

I, Peter Adamson, do hereby accept the terms of pardon from the United States Penitentiary at Deer Lodge, Montana, as prescribed by the Governor of said Territory, to wit; I agree and bind myself that I will forever abstain from the use of intoxicating liquors of any kind, and if the terms of this agreement be violated I shall be subject to arrest and return to the Penitentiary for further confinement.

Deer Lodge, Montana Territory,
December 15th A.D. 1880.

Peter Adamson,

Attest,
James H. Mills,

Executive Department,
Montana Territory

Helena December 11, 1880.

Herman H. Guthrie of Silver and Clarke County, was this day appointed and commissioned a Notary Public for the period of three years from this date subject to the advice and consent of the Legislative Council at its next session.

Attest,
James Mills
Secretary.

B.F. Potts
Governor.

Territory of Montana,
Executive Department,

Helena December 18, 1880,

Robert A. Suke of Choteau County, was this day appointed and commissioned a Notary Public for the period of three years from this date subject to the advice and consent of the Legislative Council at its next session,

Attest,
James Mills
Secretary

B. F. Potts Governor,

Territory of Montana,
Executive Department,

Helena December 21, 1880,

The resignation of John W. Tattan of Choteau County as Notary Public having been this day received the same is accepted to take effect from this date,

Attest,
James Mills
Secretary,

B. F. Potts Governor,

Territory of Montana,
Executive Department,

Helena, December 23, 1880,

Thomas J. Hunt of the City of Philadelphia, State of Pennsylvania, was this day appointed and commissioned a Commissioner of Deeds for the Territory of Montana to reside in the State of Pennsylvania for the period of three years from this date,

Attest,
James Mills
Secretary,

B. F. Potts Governor,

Territory of Montana,
Executive Department,

Helena December 24, 1880,

It having been made to appear to me by the certificate of the Board of County Commissioners of Missoula County, and also of Dr. W. A. Mills, County Physician of said County, that Nathan Gilbride of said Missoula County is insane and indigent;

I have this day issued a warrant to the Sheriff of said Missoula County, Montana Territory, to forthwith convey the said Nathan Gilbride to the Insane Asylum at Warm Springs, Deer Lodge County and deliver him to Dr. A. H. Mitchell, the Contractor for the care and medication of the indigent insane of this Territory.

Atest,
James Mills
Secretary.

B. F. Potts
Governor

Territory of Montana,
Executive Department,

Helena, December 31, 1880,

Having been made to appear to me by a transcript of the proceeding of the Probate Court of Deer Lodge County, Montana Territory that one Raphael Saratta of said County is insane and indigent, I have this day issued a warrant to the Sheriff of said County to forthwith convey the said Raphael Saratta to the Insane Asylum at Warm Springs, Deer Lodge County and deliver him to Dr. A. H. Mitchell, the Contractor for the care and medication of the indigent insane of this Territory.

Atest,
James Mills
Secretary.

B. F. Potts Governor,

Territory of Montana,
Executive Department,

Helena January 3, 1881,

David A. Leigh of Beaverhead County was this day appointed and commissioned a Notary Public for the period of three years from this date subject to the advice and consent of the Legislative Council at its next Session.

Attest,
James Mills
Secretary

B. F. Potts Governor

Territory of Montana,
Executive Department,

Helena January 3, 1881,

It having been made to appear to me by a transcript of the proceedings of the Probate Court of Deer Lodge County, Montana Territory, that John Mahony of said County is insane and indigent;

I have this day issued a warrant to the Sheriff of Deer Lodge County to forthwith convey the said John Mahony to the Asylum at Warm Springs, Deer Lodge County, and deliver him to Dr. A. J. Whitehill, the Contractor for the care and medication of the indigent insane of the Territory.

Attest,
James Mills
Secretary

B. F. Potts
Governor

Territory of Montana,
Executive Department,

Whereas, At the October terms of the District Court, 1875, held in and for Beaverhead County, Montana Territory, William H. Heinsman was convicted of the crime of grand larceny and sentenced to confinement in the United States Penitentiary at Deer Lodge for the term of ten years;

And Whereas, On the sixth day of May A.D. 1880, the said William H. Heinsman was pardoned by the Governor of this Territory without restoration to civil rights.

And Whereas, It appears that since the pardon of the said William H. Heinsman he has deported himself

as a good citizen;

Therefore, By virtue of the authority vested in me as Governor by the laws of the United States and of this Territory I hereby restore the said William H. Hainsman to all his civil rights so far as Executive authority extends.

Seal.

In witness whereof I have hereunto set my hand and affixed the great Seal of the Territory, at Helena, the Capital, this Seventh day of January A.D. 1881, and of the Independence of the United States the one hundred and fifth.

Attest,
James Mills
Sec. Ter.

B. F. Potts Governor

Territory of Montana,
Executive Department, }

Whereas, At the October term of the District Court, 1873, held in and for Broadwater County, Montana Territory, Donald McLean was convicted of the crime of Grand Larceny and sentenced to Confinement in the United States Penitentiary at Detroit for the term of ten years;

And Whereas, On the Sixth day of May A.D. 1880, the said Donald McLean was pardoned by the Governor of this Territory without restoration to civil rights;

And Whereas, It appears that since the pardon of the said Donald McLean he has deported himself as a good citizen;

Therefore, By virtue of the authority vested in me as Governor by the laws of the United States and of this Territory I hereby restore the said Donald McLean to all his civil rights so far as Executive authority extends.

Seal.

In witness whereof I have hereunto set my hand and affixed the great Seal of the Territory, at Helena, the Capital, this Seventh day of January A.D. 1881 and of the Independence of the United States the one hundred and fifth.

Attest,
James Mills

B. F. Potts Governor

Territory of Montana,
Executive Department,

Helena, January 10, 1881,

To the Legislative Assembly,

Charles H. Swift Esq of Helena is hereby appointed Private Secretary to the Governor, I ask that he be respected accordingly.

Respectfully,

B. F. Potts
Governor

Attest,
James Mills
Secretary

Territory of Montana,
Executive Department,

Helena January 12, 1881,

To the President of the Council,

I have the honor to nominate, and with the advice and consent of the Legislative Council, appoint the following named persons Notaries Public for the period of three years from the date set opposite their names, to wit:

Confirmed	Name	County	Date
Jany 12, 1881	George M. Miles	Custer	March 15, 1880,
" " "	A. H. Swift	"	March 18, 1880,
" " "	Arthur H. O'Connor	"	November 12, 1880,
" " "	Wallace R. Page	Madison	April 20, 1880,
" " "	Francis T. McBride	Deer Lodge	September 17, 1879,
" " "	Lawrence A. Brown	"	November 10, 1879,
" " "	Joseph H. Harper	"	January 21, 1880,
" " "	William B. Gaffney	"	May 19, 1880,
" " "	Silvers Houghes	"	May 21, 1880,
" " "	Nicholas B. Kingsline	"	October 18, 1880,
" " "	A. G. Hatch	Meagher	October 19, 1880,
" " "	A. R. Sanders	"	December 6, 1880,
" " "	Henry M. Hill	Jefferson	August 25, 1879,
" " "	Alexander J. Elder	"	March 30, 1880,
" " "	David M. Evans	"	April 17, 1880,
" " "	Como E. Kemp	"	October 23, 1880,
" " "	Basil M. Worth	Choteau	September 13, 1879,
" " "	Robt. M. McCulloch	"	December 8, 1879
" " "	Williams H. Hunter	"	May 8, 1880,
" " "	Timothy E. Collins	"	May 24, 1880,
" " "	Hiram K. Edwards	"	November 12, 1880,
" " "	Herbert P. Rolfe	"	November 26, 1880

Confirmed Jany 17, 1881	Robert A. Seeke	Choteau	December 18, 1880,
" " "	Columbus Bean	Gallatin	November 17, 1879,
" " "	Thos. R. Edwards ×	"	January 20, 1880,
" " "	James Maney	"	May 15, 1880,
" " "	Joseph J. Davis	"	May 31, 1880,
" " "	George Budd	"	July 30, 1880,
" " "	Charles H. Countryman	"	November 12, 1880,
" " "	John W. Eddy	Lewis & Clarke	September 10, 1879,
" " "	Chas. O. Curtis	"	March 24, 1880,
" " "	John H. Jurgens	"	April 9, 1880,
" " "	Harry R. Hamlin	"	May 8 1880,
" " "	Gilbert Benedict	"	June 18, 1880,
" " "	George B. Fiske	"	July 23, 1880,
" " "	John M. Marsh	"	September 21, 1880,
" " "	Henry H. Guthrie	"	December 11, 1880,
" " "	David A. Dingley	Beaverhead	January 3, 1881,

Respectfully

B. F. Potts
Governor

Attest,
James Mills
Secretary

Territory of Montana,
Executive Department,
Helena January 12, 1881

To the Legislative Assembly,

I have the honor to submit a communication from John B. Blake, Secretary of the Washington Monument Society, dated December 17, 1880, asking a contribution from Montana to the Washington Monument.

I commend the communication to your favorable consideration and trust you may be pleased to comply with the request therein contained.

Very Respectfully

B. F. Potts
Governor

Attest
James Mills
Secretary

Territory of Montana,
Executive Department,
Helena January 12, 1881,

To the President of the Council

I have the honor to nominate and by and with the advice and consent of the Council, appoint and commission,

Confirmed Feby. 8, 1881, Daniel H. Heslin Territorial Treasurer for the period of two years from January 18, A.D. 1881, Attest

Secretary

Governor

Territory of Montana,
Executive Department,
Helena January 12, 1881.

To the Legislative Assembly,

I have the honor to submit for your information a report of pardons granted by this office during the two years last past with the reasons therefor,

George H. Stacy,

Crime, Disturbing the peace,

Sentenced at the March term of the Probate Court, 1879, Lewis and Clarke County, Montana Territory, to confinement in the county jail for the period of eight days,

Pardoned March 29, 1879, upon the petition and representation of Hon. J. A. Johnston, District Attorney,

William Merritt,

Crime, Larceny,

Sentenced at the January term of the Probate Court, 1879, Lewis and Clarke County, to confinement in the county jail for the period of ninety days,

Pardon granted April 4, 1879, upon the petition of Hon. C. Hedges, Probate Judge, Chas. M. Jeffries, Sheriff, E. M. Hoyt, Chairman of Board of County Commissioners, and others,

Nelson Hoyter,

Crime, Burglary,

Sentenced at the March term, 1878, of the Third Judicial District, Montana Territory, to confinement in the U. S. Penitentiary at Deer Lodge for the period of five years,

Pardon granted April 12, 1879, upon the petition of Hon. W. S. Wade, Chief Justice, Joseph K. Toole, District Attorney, Major Guido Ulgen, U. S. A. and upon the condition that he will abstain from the use of intoxicating liquors for one year, and depart from this Territory within ten days never voluntarily to return,

Daniel O'Connor

Crime, Illegal voting,

Sentenced at the December term, 1878, of the District Court, Deer Lodge County, to confinement in

in the U.S. Penitentiary at Deer Lodge for the period of one year.

Pardon granted June 11, 1879, on the petition of Hon. Hiram Knowles, Associate Justice, A. E. Mountsier, District Attorney, and one hundred and six other citizens of Montana Territory.

William J. Parks.

Crime. Assault and battery.

Sentenced by the Police Judge of Butte City, Montana Territory, 1879, to confinement in the County jail of Deer Lodge County for the period of six months.

Pardon granted September 16th 1879, on the petition of Hon. C. S. Warren, Police Judge, M. A. Clark, and one hundred other citizens, upon the condition that he will forever abstain from the use of intoxicating liquors as a beverage.

Edward Hunt.

Crime. Exhibiting deadly weapons in a threatening manner.

Sentenced at the September term, 1879, of the Probate Court, Lewis and Clarke County, to confinement in the county jail for the period of three months.

Pardon granted October 6, 1879, on the petition of Hon. C. Hedges, Probate Judge, and twenty other citizens upon the condition that he will forever abstain from the use of intoxicating liquors as a beverage, and also pay all costs of his trial and conviction.

Benjamin Thompson.

Crime. Manslaughter.

Sentenced at the September term of the District Court, Madison County, 1877, to confinement in the U. S. Penitentiary at Deer Lodge for the period of six years.

Pardoned December 15, 1879, on the petition of four of the jurors who rendered the verdict, and two hundred and eleven other citizens, and also the representation of W. W. Bolkins, Warden of the Penitentiary, on the condition that he will forever abstain from the use of intoxicating liquors as a beverage.

Charles Pashay.

Crime. Disturbing the peace.

Sentenced at the March term of the Probate Court, 1880, Lewis and Clarke County, to confinement in the

County jail for the period of one month,

Pardon granted March 17, 1880, on the petition of the Chairman of the Board of County Commissioners of Silver Bow County, and fifteen other citizens upon the condition that he pay all costs of his trial and conviction,

William Brooks,

Crime Petit larceny,

Sentenced at the January term, 1880, of the Probate Court, Silver Bow County, to confinement in the County jail for the period of six months,

Pardon granted April 15, 1880, on the petition of Hon. H. S. Made, Chief Justice of Montana Territory, on the condition that he will forever abstain from the use of intoxicating liquors as a beverage,

William H. Heinsman,

Crime Grand larceny,

Sentenced at the October term, 1873, of the District Court, Beaverhead County, to confinement in the U.S. Penitentiary at Deer Lodge for the period of ten years,

Pardon granted May 6, 1880, on the petition of M. M. Botkin, Warden of the Penitentiary, and many other citizens of this Territory,

Donald McLean,

Crime Grand larceny,

Sentenced at the October term, 1873, of the District Court, Beaverhead County, to confinement in the U.S. Penitentiary at Deer Lodge for the period of ten years,

Pardon granted May 6, 1880, on the petition of M. M. Botkin, Warden of the Penitentiary, and many other citizens of this Territory,

George Dixon,

Crime Murder in the second degree

Sentenced at the March term, 1871, of the District Court, Silver Bow County, to confinement in the U.S. Penitentiary at Deer Lodge for the period of twenty years,

Pardoned July 17, 1880, because of his good behavior during confinement of nine years; and also because I have serious doubts as to his being guilty of the crime of which he was

Charles Miller.

Crime, Assault and battery,

Sentenced at the June term, 1880, of the Probate Court, Silver and Clarke County to confinement in the County jail for the period of three months,

Pardon granted July 31, 1880, on the petition of Hon. C. Hedges, Probate Judge, and E. M. Hoyt, Chairman of the Board of County Commissioners of Silver and Clarke County,

Felicita Sanchez,

Crime, Manslaughter,

Sentenced at the November term, 1878, of the District Court, Missoula County, to confinement in the U.S. Penitentiary at Deer Lodge for the period of three years,

Pardon granted September 17, 1880, on the petition of many good citizens of Montana Territory, on the condition that she must depart this Territory within ninety days from the date of pardon and never return thereto,

John L. Corbett,

Crime, Incest,

Sentenced at the March term, 1876, of the District Court, Madison County, to confinement in the U.S. Penitentiary at Deer Lodge for the period of ten years,

Pardon granted September 17, 1880, on the petition of Hon. Samuel Word, Dr. E. T. Yager, J. G. Sprott District Attorney, and a large number of other citizens of Montana Territory,

Daniel Shrair,

Crime, Assault with intent to commit a rape,

Sentenced at the November term, 1877, of the District Court, Silver and Clarke County, to confinement in the U.S. Penitentiary at Deer Lodge for the period of seven years,

Pardon granted September 27, 1880, on the petition of Hon. W. S. Wade, Chief Justice, J. K. Forbes District Attorney, and many other good citizens,

Daniel Russell

Crime, Assault with intent to kill,

Sentenced at the March term, 1878, of the District Court, Madison County, to confinement in the U.S. Penitentiary at Deer Lodge for the period of four years

Pardon granted October 1, 1880, on the petition of J. G. Sproat, District Attorney, Dr. A. H. Mitchell, E. S. Stackpole, and twenty other good citizens of Montana Territory,

Peter Adamson,

Crime, Grand larceny,

Sentenced at the June term, 1880, of the District Court, Beaverhead County, to confinement in the U.S. Penitentiary at Deer Lodge for the period of two years,

Pardon granted December 13, 1880, on the petition of Hon. A. E. Mayhew, District Attorney, H. Kirkendall, John Kinna, and other citizens, on the condition that he will forever abstain from the use of intoxicating liquors as a beverage,

Ah Nin, "Chinaman,"

Crime, Manslaughter,

Sentenced at the December term, 1877, of the District Court, Deer Lodge County, to confinement in the U.S. Penitentiary at Deer Lodge for the period of five years,

Pardon granted January 12, 1881, on the petition of Hon. A. E. Mayhew, District Attorney, N. T. Allison one of the jurors who rendered the verdict, C. B. O'Bannon, Clerk of the District Court, Hon. Hiram Knowles, and many other citizens

Respectfully,

B. F. Potts
Governor

Attest,
James Mills
Secretary,

Territory of Montana,
Executive Department,

Whereas, At the December term, 1877, of the District Court held in and for Deer Lodge County, Montana Territory, Ah Nin was convicted of the crime of manslaughter and sentenced to confinement in the United States Penitentiary at Deer Lodge for the period of five years;

And Whereas, Such representations have been made to me by Hon. A. E. Mayhew, District Attorney, N. T. Allison, one of the jurors who rendered the verdict, C. B. O'Bannon, Clerk of the District Court, Hon. Hiram Knowles, and many other citizens of Montana Territory, that the said Ah Nin may with propriety be pardoned by the Executive authority of this Territory;

Therefore; By virtue of the authority vested

in me as Governor by the laws of the United States, and of this Territory I hereby grant a full pardon to the said Ah Mis.

In testimony whereof I have set my hand and caused the great Seal of the Territory of Montana to be affixed,

Seal

Done at Helena the Capital, this twelfth day of January, A.D. 1881, and of the Independence of the United States the one hundred and fifth.

B.F. Potts
Governor

Attest,
James H. Mills
Secretary

Territory of Montana,
Executive Department,
Helena January 14, 1881,

To the President of the Council,

I have the honor to nominate and with the consent of the Council appoint and commission the following persons Notaries Public for the period of three years from date of confirmation

Confirmed Jany 14, 1881 — William J. Stephens, Missoula County,
" " " — Jason W. Sterrett, Custer "

Respectfully

B.F. Potts
Governor

Attest,
James H. Mills
Secretary,

Territory of Montana,
Executive Department,
Helena January 14, 1881,

To the Legislative Assembly,

I have the honor to transmit the Report of Dr. A. H. Mitchell, Contractor for keeping the Insane, The Report is an interesting one, and I trust will receive your favorable attention.

Only on copy having been furnished this Department the same is sent to the Council.

Respectfully

B.F. Potts
Governor

Attest,
James H. Mills
Secretary,

Territory of Montana,
Executive Department,

Helena January 18, 1881,

To the House of Representatives,

I have the honor to inform the House of Representatives that I have this day approved House Joint Resolution No. 1,

Respectfully,

B. F. Potts
Governor,

Attest,
James Mills
Secretary,

Territory of Montana,
Executive Department,

Helena Jany 18, 1881.

Confirmed Jany 18, 1881

To the President of the Council,

I have the honor to nominate, and with the consent of the Council, appoint and commission John McDonald of Jefferson County Notary Public for the period of three years from date of confirmation,

Respectfully,

B. F. Potts Governor,

Attest,
James Mills
Secretary,

Territory of Montana,
Executive Department,

Helena January 18, 1881,

To the Council,

I have received a copy of Council resolution of this date requesting the Governor to inform the Council what, if anything has been done concerning the improvement of the Columbia River for the purpose of affording facilities to the Salmon in reaching the headwaters thereof in this Territory,

In reply to the Resolution I have the honor to inform the Council that upon investigation I learned that the Falls in said river named in the law are situated upon the public domain and that Congress is the only authority that can grant Montana permission to improve said river as contemplated in the act,

No expenditure has been incurred under the law,

Respectfully,

B. F. Potts Governor

Attest James Mills
Secretary.

Territory of Montana,
Executive Department,

Helena January 19, 1881

To the President of the Council,

I have the honor to nominate, and with the consent of the Council, appoint and commission the following persons Notaries Public for the period of three years from date of confirmation;

Confirmed Jany 19, 81
" " "

William T. Pigott Madison County
Francis K. Armstrong Gallatin "

Respectfully

B. F. Potts
Governor

Attest,
James Mills
Secretary,

Territory of Montana,
Executive Department,

Helena January 19, 1880

It having been made to appear to me by the certificate of the Chairman of the Board of County Commissioners of Jefferson County, and Dr. A. F. Reynolds, Health Officer of said County, is insane and indigent I have this day issued a warrant to the Sheriff of said Jefferson County, to forthwith convey the said Archibald Shaw to the Asylum at Warm Springs, Deer Lodge County, and delivered to Dr. A. M. Natelle, the Contractor for the care and medication of the indigent insane of this Territory,

Attest,
James Mills
Secretary,

B. F. Potts
Governor

Territory of Montana,
Executive Department,

Helena January 19, 1881,

To the Legislative Assembly,

I have the honor to submit to the Legislative Assembly a proposition from Messrs. A. S. Barnes & Co. and Messrs. Ivison, Blakeman, Taylor & Co. both of New York City, to furnish the public schools of Montana Territory a list of text books, & commend the proposition to your favorable consideration, & believe a uniformity in books

essential to the success of our School System. This proposition has been so favorably endorsed by the teachers and school officers of the Territory as to commend it to your most favorable consideration.

The original proposition, with endorsements, is sent to the House of Representatives, and a copy of the same is sent to the Council.

Respectfully,

Attest,
James Mills
Secretary.

B. F. Potts Governor.

Territory of Montana,
Executive Department.

Helena January 22, 1881.

To the Council,

I have the honor to nominate, and with the consent of the Legislative Council, appoint and commission the following persons Notaries Public for the period of three years from date of confirmation.

Confirmed Jany 22, 1881.

John C. Rogers, of Beaverhead County,
William Meers, Madison " "

Respectfully,

Attest,
James Mills
Secretary.

B. F. Potts Governor.

Territory of Montana,
Executive Department,

Helena January 24, 1881.

To the Council,

I have the honor to nominate, and with the consent of the Council, appoint and commission the following persons Notaries Public for the term of three years from date of confirmation:

Confirmed Jany 24, 1881 " " "

Isaac R. Atkins, Yellowstone County,
Russell R. Lewis, Deer Lodge " "

Respectfully,

Attest,
James Mills
Secretary.

B. F. Potts
Gov.

Territory of Montana,
Executive Department,

Helena January 26, 1881,

To the Legislative Assembly,

I have the honor to submit for your information a copy of an address of Hon Erastus Brooks of New York delivered before the eighth annual meeting of the American Public Health Association at New Orleans, La, December 9, 1880, entitled, "What the State owes the People"

Only one copy having been furnished this Department the same is sent to the House of Representatives,

Respectfully

B. F. Potts
Governor

Attest,
James Mills
Secretary,

Territory of Montana,
Executive Department,

Helena January 28, 1881,

To the Council,

I have the honor to nominate, and with the consent of the Council, appoint and commission the following persons Notaries Public for the period of three years from date of confirmation;

Asa A. Hearn, Alex Sedge County,
William H. Conner, Madison County,

Respectfully,

B. F. Potts
Governor

Attest,
James Mills
Secretary,

Confirmed Jany. 28, 1881
" " "

Territory of Montana,
Executive Department,

Helena January 28, 1881

To the Council,

I have the honor to inform the Council that I have this day approved C. B. No. 2, entitled "An Act to authorize the refunding of the outstanding bonded indebtedness of Madison County,"

Respectfully

B. F. Potts
Governor

Attest
James Mills
Secretary

Territory of Montana,
Executive Department,
Helena January 31, 1881.

To the Council,

I have the honor to nominate, and with the consent of the Council, appoint and commission the following persons Notaries Public for the period of three years from date of confirmation,

Confirmed Feby. 4, 1881

John J. Merrill, Choteau County,
Athanasius J. Gravelle, Madison " "

Respectfully,
B. F. Potts
Governor.

Attest,
James Mills
Secretary.

Territory of Montana,
Executive Department,
Helena February 2, 1881

To the Council,

I have the honor to nominate, and with the consent of the Council, appoint and commission the following persons Notaries Public for the period of three years from date of confirmation,

Confirmed Feby. 4, 1881
" " "

Herbert C. Smith, Beaverhead County,
Court Sheriff, Traughber " "

Respectfully,
B. F. Potts
Governor.

Attest,
James Mills
Secretary.

Territory of Montana,
Executive Department,
Helena February 4, 1881,

To the Council,

I have the honor to nominate, and with the consent of the Council, appoint and commission the following persons Notaries Public for the period of three years from date of confirmation,

Confirmed Feby. 4, 1881
" " "

John C. Moore, New Lodge County,
George F. Crean Jefferson " "

Respectfully
B. F. Potts
Governor.

Attest,
James Mills
Secretary.

Territory of Montana,
Executive Department,

Helena, February 4, 1881.

To the Legislative Assembly,

I have the honor to transmit a communication from E. M. Knight Esq., Commissioner appointed by the President of the United States to represent Montana Territory at the International Exhibition to be held in the City of New York in the year 1883, to celebrate the one hundredth anniversary of the treaty of peace between the United States and Great Britain.

A prominent feature of the Exhibition will be to place before the World specimens of the products of the soil, mines, manufactures &c.

The Territory has been earnestly invited to take part in the Exhibition, and I respectfully recommend that a sufficient appropriation be made and placed at the disposal of the Commissioner to enable the citizens of the Territory to place on exhibition such products of the Territory as will properly represent the great wealth of our soil and mines.

The original communication is sent to the Council, and a copy of the same is sent to the House of Representatives.

Respectfully,

B. F. Potts
Governor.

Attest,
James Mills
Secretary.

Territory of Montana,
Executive Department,

Helena February 4, 1881.

I have been made to appear to me by the transcript of proceedings of the Probate Court of Deer Lodge County, that William E. Browning of said county is insane and indigent;

I have this day issued a warrant to the Sheriff of said Deer Lodge County to forthwith convey the said William E. Browning to the Asylum at Warm Springs, Deer Lodge County, and deliver him to Dr. A. H. Mitchell, the Contractor for the care and medication of the indigent insane of this Territory.

Attest,
James Mills
Secretary.

B. F. Potts
Governor.

Territory of Montana,
Executive Department,

Helena February 4th 1881.

To the House of Representatives,

I have the honor to inform the House of Representatives that I have this day approved H.B. No. 2, entitled An Act to provide for the issuing of duplicate County warrants in certain cases. Also H.B. No. 10, entitled An Act to amend an act entitled An Act to provide for the support and maintenance of the Helena Fire Department,

Respectfully,
B.F. Potts
Governor,

Attest,
James Mills
Secretary,

Territory of Montana,
Executive Department,

Helena February 4, 1881.

To the Council,

I have the honor to inform the Council that I have this day approved C.B. No. 3, entitled An Act to prescribe the fees of jurors and witnesses in Probate and Justices courts,

Respectfully,
B.F. Potts
Governor,

Attest,
James Mills
Secretary,

Territory of Montana,
Executive Department,

Helena, Feby 7, 1881

To the Legislative Assembly,

I have the honor to transmit a communication from Mr. F. C. Pierce proposing to build and navigate a steamboat on the Missouri river above the Great Falls, for a consideration therein stated.

I respectfully ask for the proposition your careful consideration.

Respectfully,
B.F. Potts
Governor

Attest
James Mills
Secretary

Territory of Montana,
Executive Department,

Helena, February 8, 1881.

To the Council,

I have the honor to nominate, and with the consent of the Council, appoint and commission, the following persons Notaries Public for the period of three years from date of confirmation,

John T. Baldwin, Deer Lodge County.
James N. Forbis " "

Respectfully,
B. F. Potts
Governor

Attest,
James Mills
Secretary

Approved February 8, 1881

Executive Department,
Montana Territory,

Helena February 8, 1881.

It having been made to appear to me by the testimony of Dr. A. H. Mitchell that one John Chinaman of Silver Bow and Clark Counties is insane and indigent; I have this day issued a warrant to the Sheriff of said Silver Bow and Clark Counties to forthwith convey said John Chinaman to the Asylum at Warm Springs, Deer Lodge County and deliver him to Dr. A. H. Mitchell, the Contractor for the care and medication of the indigent insane of this Territory.

B. F. Potts
Governor

Attest,
James Mills
Secretary

Executive Department,
Montana Territory,

Helena February 8, 1881.

It having been made to appear to me by a transcript of the proceedings of the Probate Court of Madison County that one Ah Sue, Chinaman of said County is insane and indigent; I have this day issued a warrant to the Sheriff of Madison County to forthwith convey the said Ah Sue to the Asylum at Warm Springs, Deer Lodge County and deliver him to Dr. A. H. Mitchell, Contractor for the care and medication of the indigent insane of this Territory.

B. F. Potts
Governor

Attest, James Mills Secretary

Territory of Montana,
Executive Department,
Helena, February 8, 1881.

To the Council,

I have the honor to nominate, and with the consent of the Council, appoint and commission the following persons Notaries Public for the period of three years from date of confirmation;

Confirmed Feby. 8. 1881

Marsden J. Bullard, Deer Lodge County,
Walter S. Corwin — Meagher " "
Horace R. Buck — Choteau " "

Respectfully,
B. F. Potts
Governor.

Attest,
James Mills
Secretary.

Territory of Montana,
Executive Department,
Helena February 10, 1881.

Sir;

In obedience to a resolution of the House of Representatives, asking for copies of all contracts now in force for the keeping of the indigent insane I have the honor to transmit a copy of the only contract now in force for the keeping of the indigent insane.

Respectfully
B. F. Potts
Governor.

Hon. A. S. Dorrell
Speaker of the
House of Representatives
Attest,
James Mills
Secretary.

Territory of Montana,
Executive Department,
Helena February 9, 1881.

To the Legislative Assembly,

I have the honor to transmit herewith the petition from the residents of Silver Bow County asking that said County be organized.

The petition is respectfully submitted to the Legislative Assembly for its consideration and such action as may seem proper.

In my judgment the legislation of one session should be sufficient for the legal organization for Silver Bow County,

Having only one copy of said petition, I

Gentlemen of the Honorable Council of Montana Territory,

Respectfully yours,

Attest James Mills
Sec. Terr.

B. F. Potts
Governor

Territory of Montana,
Executive Department,
Helena February 10, 1881.

To the President of the Council,

I have the honor to nominate, and by and with the advice and consent of the Legislative Council, appoint and commission,

Approved Feby. 11, 1881.

Joseph P. McLaran of Lewis and Clark County, Territorial Auditor for the period of two years from February 2nd A.D. 1881.

Respectfully,

Attest James Mills
Secretary,

B. F. Potts
Governor,

Territory of Montana,
Executive Department,
Helena Feby. 11, 1881.

To the Council,

I have the honor to inform the Council that on Feby. 9, 1881, I approved C. B. No. 16, entitled "An Act Concerning Small Estates", Also on Feby. 10, 1881, C. B. No. 2 "For the distribution of the Revised Statutes".

Respectfully,

Att. James Mills
Secretary,

B. F. Potts
Governor

Territory of Montana,
Executive Department,
Helena Feby. 11, 1881.

To the Council,

I have the honor to nominate, and with the advice of the Council, appoint and commission

Approved Feby. 11, 1881.

Charles Gibbs Notary Public for the period of three years from date of confirmation,

Respectfully,

Att. James Mills Secy.

B. F. Potts Governor

Territory of Montana,
Executive Department,

Helena February 11, 1881.

To the House of Representatives:

I have the honor to inform the House of Representatives that on Feb. 9, 1881, I approved H.B. No. 1 entitled "An Act defining the qualification of jurors" Also on same date H.B. No. 32, entitled "An Act concerning the official bonds of Sheriffs and Constables." Also on Feb. 10, 1881, I H.B. No. 7, entitled "An Act regulating the fees of Sheriffs for board of prisoners,

Attest,
James Mills
Secretary,

Respectfully,
B F Potts
Governor,

Territory of Montana,
Executive Department,

Whereas at the October term of the District Court, 1880, held in and for Beaverhead County, Montana Territory, John G. Miller was convicted of the crime of rape and sentenced to confinement in the United States Penitentiary at Deer Lodge for the period of five years;

And whereas, Such representations have been made to me by Sarra Bills, the woman on whom the alleged rape was committed, A. E. Graeber, Deputy Clerk of the District Court, and one hundred and twenty-six other citizens that said John G. Miller may with propriety be pardoned by the Executive Authority of this Territory;

Therefore by virtue of the authority vested in me as Governor by the laws of the United States and of this Territory I hereby grant a full pardon to said John G. Miller and restore him to all of his civil rights so far as Executive authority extends,

In testimony whereof I have set my hand and caused the Great Seal of the Territory of Montana to be affixed,

Done at Helena, the Capital, this fifteenth day of February, A.D. 1881, and of the Independence of the United States the one hundred and fifth,

Seal.

Attest, James Mills
Secretary,

B F Potts
Governor

Territory of Montana,
Executive Department,
Helena February 15, 1881,

To the Council,

I have the honor to nominate, and with the consent of the Council, appoint and commission the following persons Notaries Public for the period of three years from date of confirmation,

Confirmed Feby. 15, 1881

Alfred E. Graeter, Beaverhead County, Ramacie
" " " Anderson Burke, Missoula " Stevensville

Respectfully,
B. F. Potts
Governor,

Attest
James Mills
Secretary,

Territory of Montana,
Executive Department,
Helena February 15, 1881,

To the House of Representatives,

I have the honor to inform the House of Representatives that on February 7, 1881, I approved
H. B. No. 3, entitled "An Act to establish the rate of interest on Territorial and County warrants," Also,
H. B. No. 9, entitled "An Act concerning cruelty to domestic animals", Also on Feby. 14, 1881,
H. B. No. 17, entitled "An Act to require persons keeping gaming houses and saloons to prohibit boys from stepping therein", Also
H. B. No. 13, entitled "An Act concerning insurance companies and agents,

Respectfully,
B. F. Potts
Governor,

Attest
James Mills
Secretary,

Territory of Montana,
Executive Department,
Helena February, 15, 1881,

To the Council,

I have the honor to inform the Council that on February 12, 1881, I approved,
C. B. No. 12, entitled "An Act to repeal the license required from assayers", Also
C. B. No. 26, entitled "An Act to extend the the boundaries of Gallatin County", Also
C. B. No. 13, entitled "An Act concerning mineral deputy surveyors", Also on February 15, 1881

C.B. No. 23, entitled "An Act for the relief of Counties" Also
C.B. No. 11, entitled "An Act to provide for the election of officers in Beaverhead County"

Respectfully,
B.F. Potts
Governor

Attest,
James Mills
Secretary

Territory of Montana,
Executive Department,
Helena February 16, 1881.

To the House of Representatives,

I have the honor to inform the House of Representatives that on February 15, 1881, I approved H.B. No. 30, entitled "An Act to repeal an act entitled, An Act to provide for the support of the Butte City fire department", also H.B. No. 52, entitled "An Act concerning prairie fires", Also H.B. No. 53, entitled "An Act establishing the fees of the clerk of the ~~district~~ Supreme Court"

Respectfully,
B.F. Potts
Governor

Attest,
James Mills
Secretary

Territory of Montana,
Executive Department,
Helena February 16, 1881.

To the Council,

I have the honor to nominate, and with the consent of the Council, appoint and commission the following persons Notaries Public for the period of three years from date of confirmation:

Hollis D. Johnson, Silverbow County,
Otis Mills, Madison "

Respectfully,
B.F. Potts
Governor

Confirmed Feb. 16, 1881

Attest,
James Mills
Secretary

Territory of Montana,
Executive Department,

Helena Feby. 16, 1871.

Hon. J. P. Sennett,
Speaker House of Representatives.

Sir,

I have the honor to return to the House of Representatives H. B. No. 12, entitled "An Act to repeal the Sections of the United States Statutes relating to the Sale of Liquor to Soldiers" herewith my approval.

A similar bill was passed at the Eleventh Session, and I then to the Legislative Assembly the following objections to the bill which were sustained: "The Government of the United States has seen a portion of the Army into Montana, and maintained the same here for the protection of her citizens from Indian depredations.

I do not think that protection can be made effectual by authorizing the sale of intoxicating liquor to Soldiers, thereby destroying the discipline of the Army, and rendering it unable to afford the protection to our people that a wise and liberal Government is intended to extend to us.

I regard it as a debt we owe to the Government as well as for our own protection, that it should use legitimate means in our power and assist in preserving the discipline of the troops serving in the Territory.

"To authorize the sale of liquor to Soldiers, from motives of revenue in the Territory, may be secured at the Sutlers Stores, and the troops demoralized by intoxication. The officers of the Army, as well as the Government, will thus see that the people of the Territory are law abiding and will prohibit the sale of intoxicating liquors to Soldiers."

It may be claimed that the law should be repealed because it is not strictly enforced; but that is no reason for its repeal, I am informed that the law has been enforced, and with good effect on the discipline of the Army.

Time has not changed or modified my views upon this subject, and I therefore this bill with my approval as a law.

Respectfully

B. F. Potts
Governor.

Attest,
Ames Mitchell
Secy.

Territory of Montana,
Executive Department,
Helena Feb. 17, 1881.

To the House of Representatives,

I have the honor to inform the House of Representatives that on Feb. 16, 1881 I approved H.B. No. 6, "An Act to create the County of Silver Bow and for the election of officers thereof," Also H.B. No. 20, "An Act concerning new trials in criminal cases," Also H.B. No. 33, "An Act concerning the jurisdiction of courts in criminal cases," Also H.J.R. No. 8. Relating to memorial stone for the Washington Monument.

Respectfully,

B F Potts
Governor.

Attest,
James Mills
Secretary.

Territory of Montana,
Executive Department,
Helena Feb. 17, 1881.

To the House of Representatives,

I have the honor to inform the House of Representatives that on Feb 17, 1881 I approved H.B. No. 77, "An Act to provide for municipal corporations in the Territory of Montana", Also on Feb. 18, 1881, H.B. No. 60 "An Act to establish the salary of district attorneys."

Respectfully,

B F Potts
Governor

Attest,
James Mills
Secretary.

Executive Department,
Territory of Montana,
Helena Feby. 17, 1881.

To the Council,

I have the honor to nominate, and with the consent of the Council, appoint and commission the following gentlemen Notaries Public for the term of three years from the ninth Feby. 21, 1881 Andrew V. Corn, Silver Bow County, Herman Blume, Deer Lodge
" " " E. M. Ratcliffe Beaverhead " , Jos. W. Kirby Madison "
" " " Chas. C. Robert " " "

Respectfully,

B F Potts Governor

Attest, James Mills.
Secretary.

Territory of Montana,
Executive Department,

Helena Feby, 19, 1881.

To the Council,

I have the honor to inform the Council that on February 18, 1881, I approved
C.B. No. 136. "An Act to define and punish certain misdemeanors"
Also, C.B. No. 25, "An Act concerning the duties of fish wardens"
Also C.B. No. 17, "An Act to provide for the acknowledgement of any power of attorney, or instrument of conveyance affecting real estate by parties residing without the jurisdiction of the Territory of Montana, and outside of the jurisdiction of the United States."

Respectfully,
B. F. Potts
Governor

Attest,
James Mills
Secretary,

Territory of Montana,
Executive Department,

Helena February 21, 1881.

To the President of the Council,

I have the honor to nominate, and with the consent of the Council, appoint
Joseph P. Nolan of Deer Lodge and Clarke counties
Territorial Auditor for the period of two years from February 21st A.D. 1881. Also,
W. Egbert Smith of Silver Bow County Territorial Superintendent of Public Instruction for the period of two years from Feby 21, A.D. 1881.

Confirmed Feby 21, 1881.
Confirmed Feby 21, 1881.

Respectfully,
B. F. Potts
Governor.

Attest,
James Mills
Secretary,

Territory of Montana,
Executive Department,

Helena Feby 21, 1881.

To the House of Representatives,

I have the honor to return to the House of Representatives H.B. No. 25, entitled "An Act in relation to license taxes" without my approval,

The reduction of the territorial levy will reduce the

Territorial revenues to a less limit when we consider the increase of Territorial expenditure made by this Legislative Assembly.

A further decrease of Territorial revenues will increase the indebtedness of the Territory before your successors can provide a remedy.

I respectfully ask that you reconsider your action on this bill.

Respectfully,

B F Potts
Governor

Attest,
James H Mills
Secretary.

Territory of Montana,
Executive Department,
Helena February 22, 1881.

To the House of Representatives,

I have the honor to inform the House of Representatives that on February 19, 1881, I approved H.B. No. 35, "An Act concerning chattel mortgages", Also H.B. No. 66, "An Act attaching Dawson County to Custer County for judicial and other purposes", Also H.B. No. 89, "An Act in relation to sessions of county commissioners," Also
H.B. No. 38, "An Act exempting certain persons from jury duty", Also
H.B. No. 58, "An Act to more effectually prevent the sale of liquor to Indians," Also
H.B. No. 36, "An Act concerning the time of office of county commissioners", Also on Feby. 21, 1881,
H.B. No. 57, "An Act concerning the fees of jurors in civil cases." Also
H.B. No. 39, "An Act concerning road supervisors", Also
H.B. No. 76, "An Act to provide for the funding of the outstanding indebtedness of Custer County," Also
H.B. No. 67, "An Act to enable the people of Butte to build a school house," Also
H.B. No. 16, "An Act to amend an act for the protection of game, fur-bearing animals and fish," Also
H.B. No. 72, An Act to provide for the refunding of the outstanding 10 per cent bonds of Meagher County," Also,

Respectfully,
B F Potts Governor

James H Mills
Secretary.

Territory of Montana,
Executive Department,

Helena February 22, 1881.

To the Council,

I have the honor to inform the Council that on Feb. 19, 1881, I approved
C.B. No. 50, "An Act with reference to the office of sheriff of Deer Lodge county," Also
C.B. No. 34, "An Act to provide for the bonding of certain outstanding warrants of Missoula County" Also on Feb 21, 1881,
C.B. No. 18, "An Act regulating the Montana Library," Also,
C.B. No. 33 "An Act for the better protection of fish in the streams of Montana,"

Respectfully,
B.F. Potts
Governor.

Attest,
James Mills
Secretary.

Territory of Montana,
Executive Department,

Helena Feby. 22, 1881.

To the Council,

I have the honor to nominate, and with the consent of the Council, appoint and commission the following persons Notaries Public for the period of three years from date of confirmation,

Confirmed Feby. 22, 1881.

Charles E. Ashby, Lewis and Clark County,

Respectfully,
B.F. Potts
Governor.

Attest,
James Mills
Secretary.

Territory of Montana,
Executive Department,

Helena Feby. 22, 1881.

Hon. J.K. Toole
President of the Council,
Sir:

I have the honor to nominate, and by and with the consent and advice of the Legislative Council, appoint and commission Robert H. Howard, Superintendent of Public Instruction for the term of two years from February 22nd, 1881,

Confirmed Feby. 22, 1881.

Respectfully,
B.F. Potts Governor

Attest James Mills Secy.

Territory of Montana,
Executive Department,
Helena February 23, 1881

To the Council,

I have the honor to nominate, and by the advice and consent of the Council, appoint and commission the following persons Notaries Public for the period of three years from date of confirmation:

Confirmed Feby 23, 1881

James H. Earlock, Custer County,

Respectfully,
B. F. Potts
Governor

Attest,
James Mills
Secretary,

Territory of Montana,
Executive Department,
Helena February 23, 1881

To the House of Representatives,

I have the honor to inform the House of Representatives that on Feby. 22, 1881, I approved,
H.B. No. 81, "An Act concerning property subject to taxation", Also
H.B. No. 18, "A bill for an act to enable the County of Choteau to erect a jail", Also,
H.B. No. 62, "A bill for an act to provide for the redemption of the funded debt of Lewis and Clarke County", Also
H.B. No. 87, "An Act concerning the official terms of road supervisors" H.B. No. 94, "An Act to incorporate the city of Helena" Also,
H.B. No. 80, "An Act defining the duties of clerks of courts and sheriffs in certain cases," Also
H.B. No. 86, "An Act concerning corporations" Also
H.J.R. No. 5, "To pay expenses attending the burial of Hon. Oscar Sudan," Also H.B. No. 48, "An Act concerning roads and highways" Also on Feby 23, 1881, H.B. No 93 "An Act in relation to the Constitution of laws applicable to the County of Silver Bow" Also
H.B. No. 65, "An Act to provide for the compensation of Thomas H. Irving" Also H.B. No. 90, "An Act concerning the official bond of County officers" Also H.B. No. 14, "An Act to provide for the funding of the outstanding indebtedness of Chouteau County, Montana Territory", Also
H.B. No. 96, "An Act to authorize the County of Meagher to build a wagon road, Also
H.B. No. 15 "An Act to establish a series of text books for the public schools," Also
H.B. No. 95, "An Act relating to Territorial officers", Also

Territory of Montana,
Executive Department,

Helena Feby. 23, 1881,

To the Council,

I have the honor to inform the Council that on February 22, 1881, I approved
C.B. No. 139, "An Act concerning the skinning of cattle and sheep found dead", Also
C.B. No. 8, "An Act to prohibit the keeping of opium dens", Also
C.B. No. 13, "An Act to enable the County of Meagher to erect a court house and jail", Also
C.B. No. 22, "An Act concerning instructions to the jury", Also
C.B. No. 20, "An Act concerning vagrancy", Also
C.B. No. 31, "An Act to provide additional penitentiary room", Also C.B. No. 40, "An Act concerning marks and brands", Also,
C.B. No. 46, "An Act to enable the citizens of Beaverhead County to vote on the proposition of changing the County Seat, and for other purposes", Also,
C.J.R. No. 3, "For the relief of G. N. Eddy", Also, Feby. 23, 1881,
C.B. No. 19, "An Act concerning the qualification of Electors,"

Respectfully,
B. F. Potts
Governor.

Attest
James Mills
Secretary.

Territory of Montana,
Executive Department,

Helena Feby. 23, 1881

To the Council.

I have the honor to inform the Council that I
I have this day approved
C.B. No. 112, "An Act in relation to juries",

Respectfully,
B. F. Potts Governor

Attest,
James Mills
Secretary,

public schools." Also
H. B. No. 75, "An Act relating to Territorial officers", Also
H. J. R. No 4, Appropriating money for expenses in representing the resources of Montana Territory at United States International Exhibition, Also
H. J. R. No. 6, To pay clerks,

Attest

James H. Mills
Secretary

Respectfully,

B. F. Potts Governor,

Territory of Montana,
Executive Department,

Helena March, 2, 1881,

Simeon N. King, of Chicago, State of Illinois, was this day appointed and commissioned a Commissioner of Deeds for the Territory of Montana, to reside in the State of Illinois, for the period of three years from this date,

Attest,
James Mills
Secretary,

B. F. Potts
Governor,

Territory of Montana,
Executive Department,

Helena March 4, 1881,

William Wallace Jun, was this day appointed and commissioned Notary Public for the period of three years from this date subject to the advice and consent of the Legislative Council at its next session,

Attest,
James Mills
Secretary,

B. F. Potts
Governor,

Territory of Montana,
Executive Department,

Helena March 7, 1881,

It having been made to appear to me by the affidavit of J. Geo. Colutter, a practicing physician of Beaverhead County, Montana Territory, that Charles Murray of said County is insane and indigent;

I have this day issued a warrant to the Sheriff of said Beaverhead County, to forthwith convey the said Charles Murray to the Asylum at Warm Springs, Deer Lodge County, and deliver him to Dr. A. H. Mitchell, the contractor for the care and medication of the indigent insane of this Territory,

Attest,
James Mills
Secretary,

B. F. Potts
Governor,

Territory of Montana,
Executive Department,

Helena March 28, 1881,

It having been made to appear to me by the Certificate of the Chairman of the Board of County Commissioners of Gallatin County, Montana Territory as well as the affidavit of Dr. W. S. Wright, that George Dawson of said County is insane and indigent, I have this day issued a warrant to the Sheriff of said Gallatin county to forthwith convey the said George Dawson to the Asylum at Warm Springs, Deer Lodge County, and deliver him to Dr. A. H. Mitchell, the Contractor for the care and medication of the indigent insane of this Territory.

Attest,
James Mills
Secretary.

B. F. Potts
Governor,

Territory of Montana,
Executive Department,

Whereas, The requisition of the Governor of Nebraska having been filed in this office requesting the surrender of James Stephen McKinney, a fugitive from justice of the said State of Nebraska, charged with the crime of lascivious cohabitation with blood relatives I have this day issued a warrant to any officer in this Territory qualified to serve the same for the apprehension of the said James Stephen McKinney and his delivery to B. C. Ex. Westerdahl, the Agent of the Governor of the said State of Nebraska, to be conveyed by him to the State of Nebraska to be there tried for the crime charged, and the said qualified officer in making said apprehension is to make due return of his proceedings thereon,

Given under my hand and the Seal of the Territory of Montana this twenty-fifth day of March A. D. 1881,

Seal.

B. F. Potts
Governor,

Attest,
James Mills
Secretary,

Returned indorsed: Received this warrant and delivered the person named therein to the Agent of the State of Nebraska, at Helena, Montana Territory, this 29th day of March 1881. Special Deputy Sheriff

Territory of Montana,
Executive Department,
Helena April 13, 1881,

It having been made to appear to me by a transcript of proceedings of the Probate Court of Deer Lodge County, Montana Territory, that Thomas McDonald of said County is insane and indigent;

I have this day issued a warrant to the Sheriff of said Deer Lodge County to forthwith convey the said Thomas McDonald to the Asylum at Warm Springs, Deer Lodge County, and deliver him to Dr. A. J. Mitchell, the Contractor for the care and medication of the indigent insane of this Territory.

Attest,
James Mills
Secretary.

B. F. Potts
Governor.

Territory of Montana
Executive Department,

Whereas at a term of the Justice's Court of the City of Butte, Silver Bow County, held on the twentieth day of March A.D. 1881, Edward Westlake was convicted of the crime of assault and battery and sentenced to confinement in the County jail ~~of Silver Bow County~~ for the period of ninety days and to pay a fine of fifty dollars;

And whereas, Such representations have been made to the County Commissioners of Silver Bow County, the City Council of the City of Butte and eight other citizens of Silver Bow County that said Edward Westlake was not in the proper state to pardoned by the Executive authority of this Territory;

Therefore, By virtue of the authority vested in me as Governor by the laws of the United States and of this Territory, I hereby grant a full pardon to the said Edward Westlake, and remit the fine imposed upon him.

In testimony whereof I have signed my hand and caused the Great Seal of the Territory to be affixed

Done at Helena, the Capital of this Territory this day of April A.D. 1881, and of the Independence of the United States the one hundred and fifth.

Attest, James Mills
Secretary.

B. F. Potts
Governor.

Territory of Montana,
Executive Department,

Helena April 27, 1881,

It having been made to appear to me by a transcript of proceedings of the Probate Court of Silver Bow County, Montana Territory that John Ball of said County is insane and indigent,

I have this day issued a warrant to the Sheriff of said Silver Bow County to forthwith convey the said John Ball to the Asylum at Warm Springs, Silver Bow County, and deliver him to Dr. A. H. Mitchell, the contractor for the care and medication of the indigent insane of this Territory.

Attest,
James Mills
Secretary,

B. F. Potts
Governor,

Territory of Montana,
Executive Department,

Helena Mar. 7, 1881,

Enos H. Shaw of Silver Bow County was this day appointed and commissioned a Notary Public for the term of three years from this date, subject to the orders and decisions of the Legislative Council at its next Session,

Attest,
James Mills
Secretary,

B. F. Potts
Governor,

Territory of Montana,
Executive Department,

Helena April 28, 1881,

It having been made to appear to me by the affidavit of the Probate Judge of Custer County, Montana Territory that Leon Pegaro of said County is insane and indigent, I have this day issued a warrant to the Sheriff of said Custer County to forthwith convey the said Leon Pegaro to the Asylum at Warm Springs, Silver Bow County and deliver him to Dr. A. H. Mitchell, the contractor for the care and medication of the indigent insane of this Territory.

Attest,
James Mills
Secretary

B. F. Potts
Governor

Territory of Montana,
Executive Department,

Helena Mon. 11, 1881,

Hiram S. Clark, of Silver Bow County, was this day appointed and commissioned a Notary Public for the period of three years from this date, subject to the advice and consent of the Legislative Council at its next session,

Attest,
James Mills
Secretary,

B. F. Potts
Governor,

Territory of Montana,
Executive Department,

The requisition of the Governor of the State of Iowa having been filed in this office requesting the surrender of Henry Sims, a fugitive from justice of the said State, charged with the crime of larceny in a building in the night time, a warrant was this day issued to the Sheriff of Custer County, Montana Territory for the apprehension of the said Henry Sims, and his delivery to H. G. Carpenter, the Agent of the said State of Iowa, to be conveyed by him to the said State of Iowa to be there tried for the crime charged; and the said Sheriff to make due return to this office of his proceedings thereon

In testimony whereof I have hereunto set my hand and caused the Seal of the Territory of Montana to be affixed, at Helena, the Capital this 6th day of May A. D. 1881,

Attest,
James Mills
Secretary,

B. F. Potts
Governor,

Territory of Montana,
Executive Department,

Helena May, 10. 1881,

Max, Waltman of Choteau County was this day appointed and commissioned a Notary Public for the period of three years from this date subject to the advice and consent of the Legislative Council at its next session,

Attest, James Mills
Secretary

B. F. Potts
Governor,

Territory of Montana
Executive Department

Helena Mar. 13 1881

John P. Rhodes was this day appointed and commissioned a Notary Public for the period of three years from this date subject to the orders and control of the Legislative Council at its next session.

Attest,
James Mills
Secretary

B. F. Potts
Governor

Territory of Montana
Executive Department

Helena Mar. 13, 1881,

Lee A. Craig, of the City of San Francisco, State of California, was this day appointed and commissioned a Commissioner of Deeds, for the Territory of Montana to reside in the State of California, for the period of three years from this date,

Attest,
James Mills
Secretary

B. F. Potts
Governor

Territory of Montana,
Executive Department

Helena Mar. 14, 1881

It having been made to appear to me by a transcript of the proceedings of the Probate Court of Jefferson and Clark Counties, Montana Territory, that Pauline Nerlens of said County is insane and indigent;

I do, on the 29th day of April A.D. 1881, issue a warrant to the Sheriff of Jefferson & Clark Counties to convey the said Pauline Nerlens to the Asylum at Warm Springs, Mon. Lodge County, and deliver her to Dr. A. McMitchell, the Contractor for the care and reception of the indigent insane of this Territory.

Attest,
James Mills
Secretary

B. F. Potts
Governor

Territory of Montana,
Executive Department.

Whereas, At the January term of the District Court, 1880, held in and for Beaverhead County, Montana Territory, George O. Simpson was convicted of the crime of forgery, and sentenced to confinement in the United States Penitentiary at Deer Lodge for the term of one year;

And Whereas, Such representations have been made to me by W. W. Betts Esq., Warden of the Penitentiary, as to the uniform good conduct of the said George O. Simpson, and also that he is worthy of restoration to citizenship;

Therefore, By virtue of the authority vested in me as Governor, by the laws of the United States and of this Territory, I hereby restore the said George O. Simpson to all of his civil rights so far as Executive Authority extends.

In witness whereof I have hereunto subscribed my name and caused the Great Seal of the Territory of Montana to be affixed, at Helena the Capital this Seventeenth day of May A.D. 1881, and of the Independence of the United States the One hundred and fifth.

B. F. Potts
Governor

Attest,
James Mills
Secretary

Territory of Montana,
Executive Department, } Helena Dec. 21, 1881

Nicholas L. Marks of Deer Lodge County, was this day appointed and commissioned a Notary Public for the period of three years from this date, subject to the advice and consent of the Legislative Council at its next session.

Attest.
James Mills
Secretary

B. F. Potts
Governor

Territory of Montana,
Executive Department, } Helena Mar. 31, 1881.

Cornelius Hedges of Silver Bow County, was this day appointed and commissioned a Notary Public for the period of three years from this date, subject to the advice and consent of the Legislative Council at its next session.

Attest. James Mills Secretary,

B. F. Potts Governor

Territory of Montana,
Executive Department,

Helena June 8, 1881.

John P. Grayson of Deer Lodge and Clarke County was this day appointed and commissioned a Notary Public for the period of three years from this date subject to the action and consent of the Legislative Council at its next session.

Attest,
James Mills
Secretary,

B. F. Potts
Governor,

Territory of Montana,
Executive Department,

Helena June 13, 1881.

Philip A. Hogan of the State of Illinois was this day appointed and commissioned a Commissioner of Deeds for the Territory of Montana to reside in the State of Illinois, for the period of three years from the twelfth day of July, A.D. 1881.

Attest,
James Mills
Secretary,

B. F. Potts
Governor,

Territory of Montana,
Executive Department,

Helena June 11 1881.

H. S. Hewes of Nelson County was this day appointed and commissioned a Notary Public for the period of three years from this date subject to the action and consent of the Legislative Council at its next session.

Attest,
James Mills
Secretary,

B. F. Potts
Governor,

Territory of Montana,
Executive Department,

Helena June [illegible]

[illegible] and to appoint [illegible] a transcript of parcel [illegible] of the Probate [illegible] Territory, their [illegible] Dunlap [illegible] said County is insane and incapacitated [illegible] day of

issued a warrant to the Sheriff of Sierra & Plumas Counties to further the cause the said Governor requires to the Deputy at Warm Springs, Alameda County, and deliver him to Mr. A. M. Mitchell, the Contractor for the care and medication of the indigent insane of this Territory.

B. F. Potts
Governor.

James Mills
Secretary.

Territory of Montana,
Executive Department, }

To all to whom these Presents shall come, Greeting:

To E. T. Owens, Constable of Silver Bow County, M.T.

Whereas, A requisition has been made upon me by the Governor of the State of California for the surrender of the body of James Murray, a fugitive from justice of said State of California, charged with the crime of robbery, as appears by a copy of the indictment and other papers annexed, duly certified as authentic, and filed in the Executive Department of Montana Territory.

Therefore, I do hereby command you to apprehend the said James Murray wherever he may be found in said Territory of Montana, and upon the payment to you of all legal costs to deliver said James Murray to William Warfield, the Agent of the Governor of the State of California, duly appointed, in order that he may be conveyed to the State of California, to the proper Court of said State, to be tried for the crime charged; and of this Warrant and your proceedings thereon make due return to this office.

Witnessed by the Governor of Montana, this 6th day of February, A.D. 1864.

Witness the Governor and the Secretary of the Territory to be affixed at Helena, the Capital, this the 11th day of June A.D. 1864, and of the Independence of the United States the one hundred and fifty.

Seal.

By the Governor,
James Mills
Secretary.

B. F. Potts

Proclamation,

Territory of Montana,
Executive Department,

It is ordered, That in the authority of an Act to more effectually secure the Sale of Liquors to Indians approved February 19th A.D. 1884 a reward of fifty dollars will be paid by the Territory of Montana for the Conviction of any person guilty of Selling Liquor to Indians in violation of Section 1145 of the Penal Code of the Revised Statutes of Montana,

Helena June 15, 1884

B. F. Potts
Governor

Attest,
James Mills
Secretary,

Territory of Montana,
Executive Department }

Helena June 15, 1884

Edward Rumo Hoffman of the City of Philadelphia, State of Pennsylvania, was this day appointed and Commissioned a Commissioner of Deeds for the Territory of Montana, to reside in the State of Pennsylvania, for the period of three years from this date,

B. F. Potts
Governor,

Attest,
James Mills
Secretary,

Territory of Montana,
Executive Department }

Helena Feb 1, 1881.

Frank P. Sterling of Davis and Clarke County, was this day appointed and commissioned a Notary Public for the period of three years from this date subject to the advice and consent of the Legislative Council at its next Session.

Attest,
James H. Mills
Secretary

B. F. Potts
Governor.

Territory of Montana,
Executive Department }

Be it remembered that at the December term of the District Court in and for Lewis and Clarke County, held in and for said County and Territory, John Crawford was convicted of the crime of rape and sentenced by the Confirmed Criminal Court of the United States for the period of twelve years.

And whereas, said representations have been made to him, Joseph K. Toole, late Assistant Attorney prosecuting the case, C. H. Scott, Clerk of the District Court, C. McDonald, Sheriff of said County and Clerk of the said court, and other citizens, that said petitioner be pardoned by the Executive authority of this Territory.

Therefore, by virtue of the authority vested in me by the laws of the United States and of this Territory, I do hereby pardon the said John Crawford and order his immediate release from all offence against said Territory.

In testimony whereof I have hereunto set my hand and caused the Great Seal of the Territory to be affixed at Helena, the Capital, this Second day of July, A.D. 1881, and of the Independence of the United States the one hundred and sixth.

Attest
James H. Mills
Sec. Ter.

B. F. Potts
Governor.

Territory of Montana,
Executive Department,

Helena July 10th 1881

James H. Mills being duly sworn says that he was appointed and commissioned a Notary Public for the period of three years from this date, subject to the action and consent of the Legislative Council at its next session,

Attest:
James H. Mills
Secretary

B. F. Potts
Governor

Territory of Montana,
Executive Department,

Helena July 13, 1881

Upon being duly made to appear to me by the certificate of the Probate Judge of Madison County, Montana Territory, that J. B. Polhemus of said County is insane and indigent, I have this day issued a warrant to the Sheriff of said Madison County to forthwith convey the said J. B. Polhemus to the Asylum at Warm Springs, Deer Lodge County, and deliver him to Dr. A. H. Mitchell, the Contractor for the care and medication of the indigent insane of this Territory.

Attest:
James H. Mills
Secretary

B. F. Potts
Governor

Territory of Montana,
Executive Department,

Helena July 1st 1881

Charles H. Wooden of Silver and Clark Counties was this day appointed and commissioned a Notary Public for the period of three years from this date, subject to the action and consent of the Legislative Council at its next session,

Attest:
James H. Mills
Secretary

B. F. Potts
Governor

Territory of Montana }
Executive Department }

Helena Feb 22, 1870.

John Miller of Choteau County was this day appointed and commissioned a Notary Public for the period of three years from this date subject to the laws and orders of the Legislative Assembly of Mont.

B F Potts
Governor

James Mills
Secretary

Territory of Montana }
Executive Department }

Helena Feb 22, 1870

Marcus H. Mattison of the City of Helena, State of Massachusetts was this day appointed and commissioned a Notary Public for the period of three years from this date, subject to the laws and orders of the Legislative Assembly of Mont.

B F Potts
Governor

James Mills
Secretary

Territory of Montana }
Executive Department }

Helena Feb 22, 1870

John P. Alexander of Madison County was this day appointed and commissioned a Notary Public for the period of three years from this date, subject to the laws and orders of the Legislative Assembly of Mont.

B F Potts
Governor

James Mills
Secretary

Territory of Montana }
Executive Department }

Helena Feb 22, 1870

Arthur Mantz of Meagher County and John McCants of Silver Bow County were this day appointed and commissioned Notary Publics for the period of three years from this date subject to the laws and orders of the Legislative Assembly of Mont.

B F Potts
Governor

James Mills
Secretary

Territory of Montana,
Executive Department,

Helena July 25, 1881.

Fred. W. Perkins of Kansas City, State of Missouri, was this day appointed and commissioned a Commissioner of Deeds for the Territory of Montana, to reside in the State of Missouri, for the period of three years from this date.

Attest:
James Mills
Secretary.

B. F. Potts
Governor.

Territory of Montana,
Executive Department,

Helena July 25, 1881.

It having been made to appear to me by a transcript of the proceedings of the Probate Court of Silver Bow County, Montana Territory, that John Nerburg of said County is insane and indigent, I have this day issued a warrant to the Sheriff of said Silver Bow County to forthwith convey the said John Nerburg to the Asylum at Warm Springs, Deer Lodge County, and deliver him to Dr. A. H. Mitchell, the Contractor, for the care and medication of the indigent insane of this Territory.

Attest:
James Mills
Secretary.

B. F. Potts
Governor.

Territory of Montana,
Executive Department,

Helena July 26, 1881.

It having been made to appear to me by a Certificate of the Probate Judge of Deer Lodge County, Montana Territory, that Patrick O'Brien of said County is insane and indigent, I have this day issued a warrant to the Sheriff of said Deer Lodge County to forthwith convey the said Patrick O'Brien to the Asylum at Warm Springs, Deer Lodge County, and deliver him to Dr. A. H. Mitchell, the Contractor, for the care and medication of the indigent insane of this Territory.

Attest:
James Mills
Secretary.

B. F. Potts
Governor.

Territory of Montana,
Executive Department,

Helena July 28, 1881,

S. Allaire Mundell of the City and State of New York, was this day appointed and commissioned a Commissioner of Deeds for the Territory of Montana, to reside in the State of New York, for the period of three years from this date,

Attest,
James Mills
Secretary,

B. F. Potts
Governor,

Territory of Montana,
Executive Department,

Helena August 1, 1881,

George F. Marsh and William C. Spier, both of Silver Bow County, were this day appointed and commissioned Notaries Public for the period of three years from this date subject to the advice and consent of the Legislative Council of said Territory,

Attest,
James Mills
Secretary,

B. F. Potts
Governor,

Territory of Montana,
Executive Department,

Helena August 2, 1881,

It having been made to appear to me by a transcript of proceedings of the Probate Court of Silver Bow County, Montana Territory, that Robert Brennan of said County is insane and indigent, I have this day issued a warrant to the Sheriff of said Silver Bow County to forthwith convey the said Robert Brennan to the Asylum at Warm Springs, Deer Lodge County, and delivered to Dr. A. H. Mitchener the Contract for the care and medication of the indigent insane of this Territory.

Attest. James Mills
Secretary

B. F. Potts
Gov.

Territory of Montana,
Executive Department,

Helena August 3, 1881,

To the Sheriff of Silver Bow County, Montana Territory, Greeting:

It appearing from a transcript of the

Records of the Probate Court of Silver Bow County that Robert Brown of said County has been duly adjudged insane and that he is in indigent circumstances;

You are hereby commanded to take the said Robert Brown to the Asylum at Warm Springs, Deer Lodge County, at the expense of Silver Bow County, and deliver him to Dr. A. H. Mitchell the Contractor for the care of the indigent insane of this Territory, and to take his receipt therefor, And this shall be your warrant for so doing.

James Mills
Secretary and Acting Governor,

Territory of Montana,
Executive Department,

Helena, August 11, 1881.

T. Henry Hess, of the City and State of New York has been this day appointed and commissioned a Commissioner of Deeds for the Territory of Montana to reside in the State of New York, for the period of three years from this date

James Mills
Secretary and Acting Governor

Territory of Montana,
Executive Department,

Helena August 11, 1881.

It having been made to appear to a certain Justice of the Peace of the Fourth Precinct of the County of Deer Lodge, Territory of Montana, that Thomas Hogan of said County is insane and indigent, I have this day issued a warrant to the Sheriff of said Precinct to produce the said Thomas Hogan to the Asylum at Warm Springs, Deer Lodge County and deliver him to Dr. A. H. Mitchell, the Contractor for the care and medication of the indigent insane of this Territory,

James Mills
Secretary and Acting Governor

Territory of Montana,
Executive Department,

Helena August 27, 1881

Eliazer Jackson of New York City, State of New York, was this day appointed and commissioned a Commissioner of Deeds for the Territory of Montana to

wide in the State of New York for the period of three years from this date,

Attest,

James Mills
Secretary

B. F. Potts
Governor

Territory of Montana,
Executive Department.

Helena September 5, 1881.

M. J. Lippincott of Silver Bow County, was this day appointed and commissioned a Notary Public for the period of three years from this date subject to the advice and consent of the Legislative Council at its next session,

Attest,

James Mills
Secretary,

B. F. Potts
Governor

Territory of Montana,
Executive Department.

Helena Sept. 12, 1881.

Charles Andrews of Silver Bow County, was this day appointed and commissioned a Notary Public for the period of three years from this date subject to the advice and consent of the Legislative Council at its next session,

Attest,

James Mills
Secretary,

B. F. Potts.
Governor

Territory of Montana,
Executive Department.

Whereas: At the April term of the District Court, 1880, held in and for Madison County, Montana Territory John H. Johnston was convicted of the crime of assault with intent to commit murder, and sentenced to confinement in the United States Penitentiary at Deer Lodge City, for the period of three years;

And Whereas: Such representations have been made by Hon. R. O. Hickman, Thomas Meyerson, Six of the jurors who rendered the verdict, the Sister and Mother of the Prisoner, and many other citizens, that said John H. Johnston may with propriety be pardoned by the Executive authority of this Territory;

Therefore, By virtue of the authority vested in me as Governor by the laws of the United States and of this Territory, I hereby

grant a full pardon to said John H. Johnston and restore him to all of his civil rights so far as Executive authority extends upon the condition that said Johnston at once depart from this Territory and never to return.

In testimony whereof I have set my hand and caused the Great Seal of the Territory of Montana to be affixed,

Seal

Done at Helena the Capital of said Territory this fourteenth day of September A.D. 1881, and of the Independence of the United States the one hundred and sixth.

B.F. Potts
Governor.

Attest,
James Mills
Secretary.

Condition

I, John H. Johnston, hereby agree to and bind myself that if pardoned by the Governor of this Territory, I will at once depart from Yellowstone Territory and never voluntarily return thereto, under the penalty of being arrested and returned to the Penitentiary therein to serve out the balance of my term of imprisonment.

Signed at Bear Lodge Cite, Montana Territory this fourteenth day of September A.D. 1881.

In presence of,
H. M. Rocke and
John H. Cole,

(Signed) John H. Johnston.

Territory of Montana,
Executive Department,

Helena, September 16, 1881

Alfred Fisher of Deer Lodge County, was this day appointed and commissioned a Notary Public for the period of three years from this date, subject to the duties and conditions of the Legislative Council Acts and Resolutions.

Attest:
James Mills
Secretary.

B.F. Potts
Governor.

Territory of Montana,
Executive Department.

Whereas at the November term of the District Court, 1880, held in and for Deer Lodge and Clarke County, Montana Territory, Charles C. Sawtelle was convicted of the crime of Grand Larceny and sentenced to confinement in the United States Penitentiary at Deer Lodge City for the period of one year;

And whereas, Such representations have been made by Hon. E. J. Conger, Associate Justice, Montana Territory, J. A. Johnston, Ex-District Attorney, C. M. Jeffers Sheriff, and many other citizens that said Charles C. Sawtelle may with propriety be pardoned by the Executive authority of this Territory:

Therefore by virtue of the authority vested in me as Governor by the laws of the United States and of this Territory, I hereby grant a full pardon to the said Charles C. Sawtelle and restore him to all of his civil rights so far as Executive authority extends.

In testimony whereof I have set my hand and caused the Great Seal of the Territory to be affixed.

Done at Helena, the Capital, this Nineteenth day of September, A. D. 1881, and of the Independence of the United States the one hundred and Sixth.

Seal.

B. F. Potts
Governor.

Attest,
James Mills
Secretary.

Territory of Montana,
Executive Department.

Helena, September 21, 1881.

Edward N. Knight, Esq., of Deer Lodge County, was this day appointed and commissioned a Notary Public for the period of three years from this date, subject to the advice and consent of the Legislative Council at its next session.

B. F. Potts
Governor.

Attest,
James Mills
Secretary.

Proclamation.

The Nation mourns the death of its Chief Magistrate, James A. Garfield, President of the United States, is dead.

A great man has fallen, clothed with honor and loved by his countrymen. Throughout his public career he was influenced by the loftiest patriotism. His name and fame will shed lustre upon his country and will be fondly cherished in the hearts of his countrymen for ages to come. He so lived and died that his life is his highest eulogy.

As an evidence of our profound sorrow at the great loss, I, Benjamin F. Potts, Governor of Montana Territory, do designate Monday next, (the day of the funeral) as a day of humiliation and prayer, and request the people of Montana to abstain from their usual pursuits on said day, and assemble in their usual places of worship and engage in such exercises as may seem appropriate. I also request that all the offices of the United States and of the Territory close their offices on said day, and that they wear a badge of mourning for the period of thirty days.

Given under my hand and the Great Seal of the Territory,

Done at Helena, the Capital this twenty first day of September, in the year of our Lord one thousand eight hundred and eighty one and of the Independence of the United States the one hundred and seventh.

Seal.

By the Governor

B. F. Potts

Attest
James Mills
Secretary

Territory of Montana,
Executive Department.

Helena September 24th 1881.

Jas. R. McCallum of Meagher County is this day appointed and commissioned a Notary Public for the period of three years from the ninetieth day of September A.D. 1881, subject to the orders and control of the Legislative Council at its next session.

Attest:
James Mills
Secretary

B. F. Potts
Governor

Territory of Montana,
Executive Department,

Helena October 10, 1881.

Benjamin F. Potts of Silver Bow County was this day appointed and commissioned a Notary Public for the period of three years from this date, subject to the advice and consent of the Legislative Council. Witness my hand and seal of office,

B. F. Potts
Governor.

James Mills
Secretary.

Territory of Montana,
Executive Department,

Helena October 10, 1881.

William H. Settle of Chouteau County, was this day appointed and commissioned a Notary Public for the period of three years from this date, subject to the advice and consent of the Legislative Council of this Territory. Witness,

B. F. Potts
Governor.

James Mills
Secretary.

Territory of Montana,
Executive Department,

Helena, October 20, 1881.

William M. Castline of Gallatin County and John F. Malony of Larson County were this day appointed and commissioned Notaries Public for the period of three years from this date, subject to the advice and consent of the Legislative Council of this Territory.

B. F. Potts
Governor.

James Mills
Secretary.

Territory of Montana,
Executive Department,

Helena October 20, 1881.

Application having been made to me for a certified transcript of proceedings of the Probate Court of Beaverhead County, Montana Territory, that William O'Brien of said County is insane and indigent, I hereby do issue a warrant to the Sheriff of said Beaverhead County to forthwith convey the said William O'Brien to the Asylum at Warm Springs, Deer Lodge County, and deliver him to Dr. A. H. Mitchell, the Contractor for the care and maintenance

of the indigent insane of this Territory.

Attest,
James Mills
Secretary.

B. F. Potts
Governor.

Territory of Montana,
Executive Department.

Helena, October 26, 1881.

William Wilson and Nathan C. Kootenan, Esq. of Silver Bow County, are this day appointed and commissioned Notaries Public for the period of three years from this date subject to the advice and consent of the Legislative Council at its next session.

Attest,
James Mills
Secretary.

B. F. Potts
Governor.

Territory of Montana,
Executive Department.

Helena October 26, 1881.

It having been made to appear to me by a certified transcript of proceedings of the Probate Court of Beaverhead County, Montana Territory, that William Fritz of said County is insane, and indigent, I have this day issued a warrant to the Sheriff of said County to forthwith convey the said William Fritz to the Asylum at Warm Springs, Deer Lodge County, and deliver him to Dr. A. H. Bartlett, the Contractor for the care and medication of the indigent insane of this Territory.

Attest,
James Mills
Secretary.

B. F. Potts
Governor.

Territory of Montana,
Executive Department.

To His Excellency
The Governor of the Territory of Utah

Whereas, It appears by the annexed copies of the Sentence and Commitment, which certify an authentic and in accordance with the laws of this Territory, that John Nelson was at the November term of the District Court, 1880, of the County of Madison and Territory of Montana, convicted of the crime of grand larceny, and sentenced to confinement in the Penitentiary of said Territory for the period of three ye-

from December 21st A.D. 1880; And that Frank Miller was at the June term of the District Court of 1881, held in and for Beaverhead County, Montana, convicted of the crime of mayhem, and sentenced to confinement in the Penitentiary of said Territory for the period of two years from June 18th A.D. 1881; And Whereas the said Melvin and Miller did, on the 12th day of September, A.D. 1881, escape from said Territorial Prison, and flee from justice in this Territory, and have taken refuge in the Territory of Utah;

Now therefore, Pursuant to the provisions of the Constitution and laws of the United States, in such cases made and provided, I do hereby request that the said John Melvin and Frank Miller be apprehended and delivered to John H. Cole, who is hereby authorized to receive and convey said Melvin and Miller to the Territory of Montana, there to be dealt with according to law.

In witness whereof I have hereunto set my hand and caused the Great Seal of the Territory to be affixed, at Helena, this the 31st day of October, A.D. 1881.

By the Governor,
James Mills
Secretary,

B. F. Potts
Governor of Montana,

Territory of Montana,
Executive Department,

Whereas; At the September term of the District Court, 1879, held in and for Deer Lodge County, Montana Territory, Manson T. Lobb was convicted of the crime of murder in the second degree and sentenced to confinement in the United States Penitentiary, at Deer Lodge City for the period of seven years

And Whereas, Such representations have been made by Dr. A. H. Mitchell, O. B. O'Bannon, Thos. Strang, Sheriff, G. W. Stapleton, Samuel Word, C. S. Dahler, H. A. O'Auchiel and forty other citizens that said Manson T. Lobb may with propriety be pardoned by the Executive authority of this Territory

Therefore, By virtue of the authority vested in me as Governor by the laws of the United States and of this Territory, I hereby grant a full pardon to said Manson T. Lobb, and restore him to all his civil rights so far as Executive authority extends upon the condition that he will forever abstain from the use of intoxicating liquors,

In testimony whereof I have set my hand and caused the Great Seal of the Territory of Montana to be affixed.

Seal

Done at Helena, the Capital, this 31st day of October, A. D. 1887, and of the Independence of the United States the one hundred and Sixth.

B. F. Potts
Governor.

Attest,
James Mills
Secretary.

Territory of Montana,
Executive Department. } Helena, December 5, 1887.

It having been made to appear to me by a certified transcript from the Probate Court of Deer Lodge County, Montana Territory, that Robert A. Brown of said County is insane and indigent, I have this day issued a warrant to the Sheriff of said County to forthwith convey the said Robert Brown to the Asylum at Warm Springs, Deer Lodge County, and deliver him to Dr. A. H. Mitchell, the Contractor for the care and medication of the indigent insane of this Territory.

B. F. Potts
Governor.

Attest,
James Mills
Secretary.

Territory of Montana,
Executive Department. }

Whereas, At the September term of the District Court, holden in and for Chouteau County, Montana Territory, C. M. Canning was convicted of the crime of adultery and fornication, and sentenced to confinement in the County Jail of Chouteau County, and to pay a fine of "Ten hundred and fifty dollars;"

And Whereas, Such representations have been made to Hon. J. S. Wade, Chief Justice, T. J. Sam, Dist. Attorney, and the Grand Jurors who found the indictment, and Several other citizens, that said C. M. Canning may with propriety be pardoned by the Executive authority of this Territory;

And whereas, said C. M. Canning has already paid the fine imposed,

Therefore, In virtue of the authority vested in me as Governor by the laws of the United States and of this Territory I have granted full pardon to said C. M. Canning and restored him to all his civil rights so far as Executive authority extends,

In testimony whereof I have set my hand and caused the Great Seal of the Territory of Montana to be affixed.

Seal,

Done at Helena, the Capital, this Seventh day of November, A.D. 1881, and of the Independence of the United States the one hundred and Sixth,

B.F. Potts
Governor

Attest,
James Mills
Secretary

Territory of Montana,
Executive Department, }

Helena November 8, 1881,

James G. Bunch of Jefferson County was this day appointed and commissioned a Notary Public for the period of three years from this date, subject to the advice and consent of the Legislative Council at its next session,

B.F. Potts
Governor

Attest,
James Mills
Secretary,

Thanksgiving Proclamation,

His Excellency, the President of the United States, having designated Thursday, November the 24th instant, as a day of Thanksgiving and Prayer,

Now I, Benjamin F. Potts, Governor of the Territory of Montana, do hereby request the people of this Territory to observe said day in an appropriate manner,

In witness whereof I have hereunto set my hand and caused the Seal of the Territory to be affixed,

Seal.

Done at Helena, the Capital, this 8th day of November, in the year of our Lord one thousand eight hundred and eighty-one, and of the Independence of the United States the one hundred and Sixth,

By the Governor,
James Mills
Secretary,

B.F. Potts
Governor

Territory of Montana,
Executive Department, }

Helena November 10, 1881,

Louis E. Larsen of Silver Bow County, was this day appointed and commissioned a Notary Public for the period of three years from this date subject to the advice and consent of the Legislative Council at its next session.

Attest,
James Mills
Secretary.

B. F. Potts
Governor

Territory of Montana,
Executive Department.

Helena Nov. 17th 1881.

Fred. C. Macartney of Deer Lodge County, was this day appointed and commissioned a Notary Public for the period of three years from this date subject to the advice and consent of the Legislative Council at its next session.

Attest,
James Mills
Secretary.

B. F. Potts
Governor

Territory of Montana,
Executive Department.

Whereas, At the Spring term of the District Court, 1880, held in and for Deer Lodge County, Montana Territory, A. S. Buell was convicted of the crime of Arson in the Third degree and sentenced to confinement in the United States Penitentiary at Deer Lodge for the period of three years and six months;

And Whereas, Such representations have been made by George N. Irvine, D. H. Mettinger, A. C. Witter, and thirteen other citizens that said A. S. Buell may with propriety be pardoned by the Executive authority of this Territory;

Therefore, By virtue of the authority vested in me as Governor by the laws of the United States and of this Territory, I hereby grant a full pardon to said A. S. Buell and restore him to all of his civil rights so far as Executive authority extends upon the express condition that he forever abstains from the use of intoxicating liquors as a beverage.

In testimony whereof I have set my hand and caused the Seal of the Territory to be affixed, Done at Helena, the Capital, of said Territory this 17th day of November A. D. 1881; and of the Independence of the United States the one hundred and sixth.

Attest,
James Mills
Secretary.

B. F. Potts
Governor

Territory of Montana,
Executive Department,

Whereas, At the October term of the District Court, 1879, held in and for Beaverhead County, Montana Territory, Charles Richardson was convicted of the crime of Grand Larceny and sentenced to confinement in the United States Penitentiary at Deer Lodge for the period of two years and six months,

And Whereas, Such representations have been made by the Warden of the Penitentiary that said Charles Richardson has deported himself well while in prison, observing all the rules thereof, and that his term of imprisonment will expire within thirty days;

Therefore, By virtue of the authority vested in me as Governor by the laws of the United States and of this Territory, I hereby grant a full pardon to said Charles Richardson, and restore him to all of his civil rights so far as Executive authority extends.

In testimony whereof I have set my hand and caused the Seal of the Territory of Montana to be affixed, Done at Helena the Capital, this 17th day of November, A.D. 1881, and of the Independence of the United States the one hundred and sixth,

Seal,

B. F. Potts
Governor.

Attest,
James Mills
Secretary.

Territory of Montana,
Executive Department,

Whereas, At the November term of the District Court, 1878, held in and for Deer Lodge County James Milligan was convicted of the crime of Burglary and sentenced to imprisonment in the United States Penitentiary at Deer Lodge for the period of seven and one half years;

And whereas, Such representations have been made by W. A. Clark, G. W. Beal, Sir W. Foster, John Noyes, H. H. Dillinger, Hon. Joseph A. Hayde, and by other citizens that said James Milligan may with propriety be pardoned by the Executive authority of this Territory;

Therefore, By virtue of the authority vested in me as Governor by the laws of the United States and of this Territory I hereby grant a full pardon to said James Milligan, and restore him to all of his civil rights so far as Executive

authority extends upon condition that he will forever abstain from the use of intoxicating liquors as a beverage.

In testimony whereof I have hereunto set my hand and caused the Seal of the Territory to be affixed, Done at Helena, the Capital, this 17th day of November A.D. 1881, and of the Independence of the United States the one hundred and sixth.

Seal.

B. F. Potts
Governor

Attest,
James Mills
Secretary.

Territory of Montana,
Executive Department.

Whereas, At the March term of the District Court, 1880, held in and for Choteau County, Montana Territory, Sebra R. Proper was convicted of the crime of Grand Larceny, and sentenced to confinement in the United States Penitentiary at Hot Springs for the term of two years;

And Whereas, Such representations have been made by Col. N. N. Botkin, late Marshal, and Hugh O'Neil the present Marshal, as to the good conduct of the said Sebra R. Proper during his confinement in the Penitentiary, and that the said Sebra R. Proper was with prospect be pardoned by the Executive authority of this Territory;

Now, therefore, By virtue of the authority vested in me as Governor by the laws of the United States and of this Territory, I hereby grant a full pardon to said Sebra R. Proper, and return him to all of his civil rights so far as Executive authority extends upon condition that he will forever abstain from the use of intoxicating liquors as a beverage.

In testimony whereof I have set my hand and caused the Seal of the Territory to be affixed, Done at Helena, the Capital this 18th day of November A.D. 1881, and of the Independence of the United States the one hundred and sixth.

Seal.

B. F. Potts
Governor

Attest,
James Mills
Secretary.

Territory of Montana,
Executive Department,
Helena November 19, 1881.

It having been made to appear to me by a certified transcript of proceedings of the District Court of

of Silver Bow County, Montana Territory, that Charles Sims of said County is insane and indigent.

I have this day issued a warrant to the Sheriff of said County to forthwith convey the said Charles Sims to the Asylum at Warm Springs, Deer Lodge County, and deliver him to Dr. A. H. Mitchell, the Contractor for the care and medication of the indigent insane of this Territory.

Attest,
James H. Mills
Secretary

B. F. Potts
Governor

Territory of Montana,
Executive Department.
Helena November 25, 1881.

William T. McFarland was this day commissioned and appointed a Notary Public for the period of three years from this date subject to the advice and consent of the Legislative Council at its next session.

Attest,
James H. Mills
Secretary,

B. F. Potts
Governor,

Condition of pardon of Selva R. Proper

I, Selva R. Proper, a convict confined in the Montana Penitentiary, voluntarily pledge myself to accept and faithfully observe the conditions of the pardon granted me by the Governor of Montana Territory, to wit; That I will forever abstain from the use of intoxicating liquors as a beverage.
Deer Lodge, M. T.
Nov. 21, 1881. (Signed) Selva R. Proper,

Witness to signature James H. Mills,

Condition of pardon of James Milligan.

I, James Milligan, a convict confined in the Montana Penitentiary, voluntarily pledge myself to accept and faithfully observe the conditions of the pardon herein granted me by the Governor of Montana Territory, to wit; That I will forever abstain from the use of intoxicating liquors as a beverage.
Deer Lodge, Mon. Ter.
Nov. 21, 1881. (Signed) James Milligan,
Witness, James H. Mills.

Condition of pardon of A. L. Knell.

I, A. L. Knell, a convict confined in the Montana Penitentiary, voluntarily pledge myself to accept and faithfully observe the conditions of the pardon granted me by the Governor of Montana Territory, to wit: That I will forever abstain from the use of intoxicating liquors as a beverage.

Red Lodge, Mon. Ter.,
Nov. 21, 1881.

(Signed) A. L. Knell.

Witness to Signature, James H. Mills,

Territory of Montana,
Executive Department,
Helena December 2, 1881.

George M. Stafford of Lewis and Clarke County, was this day appointed and commissioned a Notary Public for the period of three years from this date subject to the advice and consent of the Legislative Council at its next session.

Attest,
James H. Mills
Secretary.

B. F. Potts
Governor.

Territory of Montana,
Executive Department,
Helena, December 5, 1881.

J. A. Savage of Silver Bow County, was this day appointed and commissioned a Notary Public for the period of three years from this date subject to the advice and consent of the Legislative Council at its next session.

Attest,
James H. Mills
Secretary.

B. F. Potts
Governor.

Territory of Montana,
Executive Department,
Helena December 10, 1881.

Frank N. Brown of Red Lodge County, was this day appointed and commissioned a Notary Public for the period of three years from this date, subject to the advice and consent of the Legislative Council at its next session.

Attest,
James H. Mills
Secretary.

B. F. Potts
Governor.

Territory of Montana,
Executive Department,

Helena December 12, 1881.

Frank H. Carleton, of the City of Minneapolis, State of Minnesota, has this day been appointed and commissioned a Commissioner of Deeds for the Territory of Montana, to reside in the State of Minnesota, for the period of three years from this date.

Attest,
James Mills
Secretary.

B. F. Potts
Governor.

Territory of Montana,
Executive Department,

Whereas, At the October term of the Probate Court, 1881, of Lewis and Clarke County, Montana Territory, John Lorenz was convicted of the crime of petit larceny, and sentenced to confinement in the county jail of said County for the period of sixty days;

And whereas, Such representations have been made by Hon. Joseph Davis, Probate Judge of said County, that the said John Lorenz may with propriety be pardoned by the Executive authority of this Territory;

Therefore, By virtue of the authority vested in me as Governor by the laws of the United States, and of this Territory, I hereby grant a full pardon to the said John Lorenz.

In testimony whereof I have set my hand and caused the Seal of the Territory to be affixed.

Seal.

Done at Helena, the Capital, this thirteenth day of December, A.D. 1881, and of the Independence of the United States the one hundred and sixth.

Attest,
James Mills
Secretary.

B. F. Potts
Governor.

Territory of Montana,
Executive Department,

Helena December 15, 1881.

Orlando B. Batten of Missoula County, was this day appointed and commissioned a Notary Public for the period of three years from this date, subject to the advice and consent of the Legislative Council at its next session.

Attest,
James Mills
Secretary.

B. F. Potts
Governor.

Territory of Montana,
Executive Department, } Helena December 19, 1881.

Hamilton M. Clark, of the State of Massachusetts, was this day appointed and commissioned a Commissioner of Deeds for the Territory of Montana, to reside in the State of Massachusetts for the period of three years from that date.

Attest,
James Mills
Secretary.

B. F. Potts
Governor

Territory of Montana,
Executive Department, } Helena December 19, 1881.

Whereas, It has been made to appear to me by a transcript of proceedings of the Probate Court of Gallatin County, Montana Territory, that James Boland of said County is insane and indigent, I have this day issued a warrant to the Sheriff of said Gallatin County to forthwith convey the said James Boland to the Asylum at Warm Springs, Deer Lodge County, and deliver him to Dr. A. H. Mitchell, the Contractor for the care and medication of the indigent insane of this Territory.

Attest,
James Mills
Secretary.

B. F. Potts
Governor.

Territory of Montana,
Executive Department, }

Whereas, At the November term of the District Court, 1880, held in and for Deer Lodge and Clarke Counties, Montana Territory, Allen Davis was convicted of the crime of grand larceny, and sentenced to confinement in the United States Penitentiary at Deer Lodge for the period of five years;

And, Whereas Such representations have been made by Hon. D. S. Wade, Chief Justice, Hon. T. J. Davis, John Shober, and Seventy-Seven other Citizens, that said Allen Davis may with propriety be pardoned by the Executive authority of this Territory;

Therefore, By virtue of the authority vested in me by the Laws of the United States and of this Territory, I hereby grant a full pardon to said Allen Davis and restore him to all of his civil rights so far as Executive authority extends.

In testimony whereof I have set my hand and caused the Seal of the Territory to be affixed

Seal, Given at Helena, the Capital of said Territory, this 19th day of December, A.D. 1881, and of the Independence of the United States the one hundred & sixth.

Attest,
James H. Mills
Secretary,

B. F. Potts
Governor,

Territory of Montana,
Executive Department,

Whereas, At the September term of the District Court, 1881, held in and for Custer County, Montana Territory, Peter Walker was convicted of the crime of assault with intent to do great bodily injury, and sentenced to confinement in the United States Penitentiary at Deer Lodge for the period of one year.

And whereas, Such representations have been made by Hon. R. S. Wade, Chief Justice, and a large number of citizens of Custer County, that said Peter Walker may with propriety be pardoned by the Executive authority of this Territory:

Therefore, By virtue of the authority vested in me as Governor by the laws of the United States and of this Territory I hereby grant a full pardon to said Peter Walker and restore him to all of his civil rights so far as Executive authority extends upon condition that he will forever abstain from the use of intoxicating liquors.

In testimony whereof I have set my hand and caused the Seal of the Territory to be affixed.

Seal, Given at Helena, the Capital of said Territory, this 19th day of December, A.D. 1881, and of the Independence of the United States the one hundred and sixth.

Attest,
James H. Mills
Secretary,

B. F. Potts
Governor,

Condition,

I, Peter Walker, now confined in the Penitentiary at Deer Lodge, hereby voluntarily, and without mental reservation, accept the pardon granted me December 19, 1881, by the Governor of Montana Territory upon the condition specified, in said pardon, to wit; That I will forever abstain from the use of intoxicating liquors, and in default thereof, that I again be imprisoned in the said Penitentiary to serve out the remainder of my sentence of confinement.

Deer Lodge, Mon. Ter.,
December 21, 1881.

(Signed) Peter Walker,

Witness to signature,
James H. Mills

Territory of Montana,
Executive Department, } Helena December 29, 1881.

Edwin P. Cone of the City and State of New York, was this day appointed and commissioned a Commissioner of Deeds for the Territory of Montana, to reside in the State of New York, for the period of three years from this date.

Attest,

James H. Mills
Secretary

M. F. Potts
Governor

Territory of Montana,
Executive Department, } Helena December 31, 1881.

It having been made to appear to me by a certificate of the Clerk of the Probate Court of Beaverhead County that Charles W. Osgood of said County is insane and indigent, that his last place of residence is unknown, the Sheriff of said County reported to be in the Territory, the said Charles W. Osgood is the Asylum at Warm Springs, Deer Lodge County, and that he is by A. H. Nettleship, the Contractor for the care and medication of the indigent insane of this Territory.

Attest,

James H. Mills
Secretary

M. F. Potts
Governor

Territory of Montana,
Executive Department, } Helena January 3, 1882

The following named persons have this day appointed Notaries Public for the period of three years from the 15th day of January, A.D. 1882, subject to the advice and consent of the Legislative Council at its next session:

Nicholas Weiger,	c	Lewis and Clarke County			
James Rees Clark,	b	c	Silver Bow		
W. C. Deimling,	b	c	Madison		
Francis M. Hall,	b	c	[illegible]		
Peter Koch,		c	Gallatin		
George M. Crane,		c	Choteau		
Norbert Hartman,	b	c	Cascade		
John C. C. Thornton		c	Silver Bow		
John C. Robinson	b		Deer Lodge		
Francis A. Wade,	b		Missoula		
E. B. Walsh,	c		Silver Bow		
Caleb E. Irwin	c		Silver Bow		
J. A. Kanouse	b	c	Choteau		
Walter P. Chadwick	c		Lewis & Clarke		
George E. Farbell	b	c	Beaverhead		
Samuel M. De Ruy	b	c	Custer		
Alvin P. Sears	b	c	Beaverhead		
[illegible]	b	c	[illegible]		
[illegible]	b	c	[illegible]		
George Hedges	b	c	Lewis & Clarke		
George M. Cardwell	b	c	[illegible]		
Edward Brazee	b	c	Meagher		
Anthony H. Blake			Silver Bow		
Sutton Cameron	b	c	Deer Lodge		
Amos Purdum	b	c	Madison		
Henry C. Bodley		c	Silver Bow		
T. H. Kleinschmidt	b	c	Lewis & Clarke		
Edward M. Knight	b	c	Lewis & Clarke		
Henry S. Reed		c	Deer Lodge		
A. H. Dingeldy		c	Jefferson		
Isaac B. Porter	b	c	Lewis & Clarke		
Robert P. Wilson	b	c	Gallatin		
Richard Locke		c	Lewis & Clarke		
John N. Knight	b	c	Deer Lodge		
Wm. Nutter	b	c	Meagher		
William C. Collins		c	[illegible]		

B. F. Potts
Secretary

Attest,
Samuel Hauser
Secretary.

Territory of Montana,
Executive Department,

Whereas, At the September term of the District Court, 1873, held in and for Deer Lodge County, Montana Territory, John Collins was convicted of the crime of murder in the second degree and sentenced to confinement in the U.S. Penitentiary at Deer Lodge during his life,

And whereas, Such representations have been made by Hon. Hiram Knowles, late Justice of the Supreme Court, Alex. E. Mayhew, District Atty, Dr. A. H. Mitchell, Physician at the Penitentiary, and one hundred and twelve other good citizens of this Territory, that said John Collins may with propriety be pardoned by the Executive authority of this Territory,

Therefore, By virtue of the authority vested in me as Governor by the laws of the United States and of this Territory I hereby grant a full pardon to said John Collins, and restore him to all of his civil rights so far as Executive authority extends,

In testimony whereof I have hereunto set my hand and caused the Seal of the Territory to be affixed at Helena, the Capital, this 9th day of January, A.D. 1882, and of the Independence of the United States the one hundred and sixth,

By the Governor,
James Mills
Secretary,

B. F. Potts
Governor,

Territory of Montana,
Executive Department, } Helena January 10, 1882,

Having been made to appear to me by a certificate of the Probate Judge of Deer Lodge County, Montana Territory, that C. C. Johnson of said County is insane and indigent, I have this day issued a warrant to the Sheriff of said Deer Lodge County to forthwith convey the said C. C. Johnson to the Asylum at Warm Springs, Deer Lodge County, and deliver him to Dr. A. H. Mitchell, the Contractor for the care and medication of the indigent insane of this Territory,

Attest,
James Mills
Secretary,

B. F. Potts
Governor,

Territory of Montana,
Executive Department, } Helena January 10, 1882.

S. S. Millard, of the City of Chicago, State of Illinois, was this day appointed and commissioned a Commissioner of Deeds for the Territory of Montana, to reside in the State of Illinois, for the period of three years from this date.

Attest,
James Mills
Secretary.

B F Potts
Governor.

Territory of Montana,
Executive Department, } Helena January 12, 1882

Having been made to appear to me by a certified transcript of proceedings of the Probate Court of Beaverhead County, Montana Territory, that Thos Michael O'Donnell of said County is insane and indigent, I have this day issued a warrant to the Sheriff of said Beaverhead County, directing the said Sheriff to convey the said Michael O. Donnell to the Asylum at Warm Springs, Deer Lodge County and deliver him to Dr. C. H. Mitchell, the Superintendent for the care and medication of the indigent insane of this Territory.

Attest,
James Mills
Secretary.

B F Potts
Governor.

Condition of pardon of John Collins.

I, John Collins, do hereby accept the conditions set forth in the pardon granted me by the Governor of Montana Territory on the 9th day of January, A.D. 1882, and I do bind myself to forever abstain from the use of intoxicating liquors as a beverage under the penalty of re-arrest and imprisonment.

Deer Lodge, Montana,
January 10, A.D. 1882

(Signed) John Collins

Witness:
M. M. Bolkin
Hugh O'Neil

Territory of Montana, }
Executive Department, } Helena [illegible] 14th 188[illegible]

The following named persons were this day appointed Notaries Public in and for the Counties set opposite their names and commissioned for the term of two years.

✓ [illegible] [illegible] County
✓ Jeremiah B. Wilcox Silver Bow County
✓ William Shoemaker [illegible] County

Attest
James H. Mills
Secretary

B.F. Potts
Governor

Territory of Montana, }
Executive Department. }

Whereas, at the February term of the District Court 1881, held in and for Jefferson County, Montana Territory, Michael O'Neal was convicted of the crime of assault with intent to do great bodily harm, and sentenced to confinement in the U.S. Penitentiary at Deer Lodge for the period of one year;

And whereas, Sundry petitions of a large number of [illegible] citizens of Jefferson County, Montana Territory [illegible] said Michael O'Neal [illegible] pardon [illegible] by Executive authority of this Territory;

Now, therefore, by virtue of the authority vested in me as Governor by the laws of the United States and of this Territory, I hereby grant a full pardon to said Michael O'Neal, and restore him to all of his civil rights so far as Executive authority can restore the same.

In testimony whereof I have set my hand and caused the Great Seal of the Territory to be affixed at Helena this [illegible] day of [illegible] A.D. 1882, and of the Independence of the United States the one hundred and sixth.

[Seal]

By the Governor
James H. Mills
Secretary.

B.F. Potts
Governor

Territory of Montana,
Executive Department, } Helena, January 31, 1882.

I, B. F. Potts, Governor of the Territory of Montana, do hereby certify that the foregoing and annexed are true and correct copies of the original Notarial Bond of the Territorial Treasurer, filed in this Department, and of the oath of office and official bond of the following named persons, respectively, as appears by the records of this Department.

Alfred J. Wells	Treasurer	Helena		
William H. Todd	"	Virginia	10,000	
Frederick Stuart	"	Virginia	10,000	
T. G. Wardo	"	"	10,000	
L. B. Olds	"	Madison	10,000	

Attest,
James H. Mills
Secretary,

B. F. Potts Governor,

Territory of Montana,
Executive Department, }

Whereas, At the May term of the District Court, 1881, held in and for Lewis and Clarke County, Montana Territory, Lew Shipley was convicted of the crime of grand larceny and sentenced to confinement in the U.S. Penitentiary at Deer Lodge for the period of one year;

And whereas, Such representations have been made by T. J. Lowry, Dist. Attorney, Alex. Beattie, Clerk of the Dist. Court, and thirteen other citizens that said Lew Shipley may with propriety be pardoned by the Executive authority of this Territory,

Therefore, By virtue of the authority vested in me by the laws of the United States and of this Territory, I hereby grant a full pardon to said Lew Shipley and restore him to all his civil rights so far as Executive authority extends upon the condition that he will forever abstain from gambling.

In testimony whereof I have set my hand and caused the Seal of the Territory of Montana to be affixed,

Done at Helena, the Capital, this thirtieth day of January, A.D. 1882, and of the Independence of the United States the one hundred and Sixth.

By the Governor,
James H. Mills
Secretary,

B. F. Potts
Governor

Condition of pardon of Sam. Shipley.

I, Sam Shipley, do hereby accept the conditions set forth in the pardon granted me by the Governor of Montana Territory on the thirtieth day of January A.D. 1882, and I do bind myself to forever abstain from gambling of any kind under the penalty of arrest and imprisonment to serve out the unexpired term of my sentence.

Deer Lodge, M.T.
February 1, 1882.

(Signed)

Witness,

Territory of Montana,
Executive Department. } Helena January 31, 1882.

It having been made to appear to me by a transcript of proceedings of the Probate Court of Silver Bow County, that Mark N. Gates of said County is insane and indigent I have this day issued a warrant to the Sheriff of said Silver Bow County to forthwith convey the said Mark N. Gates to the Asylum at Warm Springs Deer Lodge County, and deliver him to Dr. A. H. Mitchell, the Contractor for the care and medication of the indigent insane of this Territory.

Attest,
James Mills
Secretary.

B. F. Potts
Governor.

Territory of Montana,
Executive Department.

Helena February 2, 1882.

The following named persons are this day appointed Notaries Public for the period of three years from this date, subject to the advice and consent of the Legislative Council at its next session;

Lucien P. Sa Croix,	Lewis & Clarke County.
Robert Hedge,	Madison "
Fred. H. Foster,	Custer "
Charles S. Warren,	Silver Bow "
George W. Stapleton,	Silver Bow "
John R. Eardley	Deer Lodge "

Attest.
James Mills
Secretary.

B. F. Potts Governor

Territory of Montana, }
Executive Department, } Helena Feby. 7. 1882.

The following named persons were this day appointed Notaries Public for the period of three years from this date, subject to the advice and consent of the Legislative Council at its next session;

Edward Parkes	Custer County
Chas. H. Peck	Madison "
Henry P. Pitts	Lewis & Clarke "

Attest,
James Mills
Secretary,

B. F. Potts
Governor,

Territory of Montana, }
Executive Department, } Helena February 7. 1882.

Edward M. Atkinson of the City and State of New York, was this day appointed and commissioned a Commissioner of Deeds for the Territory of Montana, to reside in the State of New York for the period of three years from this date,

Attest,
James Mills
Secretary,

B. F. Potts
Governor,

Territory of Montana, }
Executive Department, } Helena February 9. 1882.

Edward Chattin of the City of San Francisco, State of California, was this day appointed and commissioned a Commissioner of Deeds for the Territory of Montana, to reside in the State of California, for the period of three years from this date,

Attest,
James Mills
Secretary,

B. F. Potts
Governor,

Territory of Montana, }
Executive Department, } Helena February 10, 1882

The following named persons were this day appointed Notaries Public for the period of three years from this date, subject to the advice and consent of the Legislative Council at its next session,

M. J. Stevenson,	Meagher County
Estil C. Cyl,	Jefferson "

Attest, James Mills
Secretary.

B. F. Potts
Governor

Territory of Montana, }
Executive Department, } Helena February 23, 1882,

Joseph H. Cutting of Meagher County was this day appointed and commissioned a Notary Public for the period of three years from this date, subject to the advice and consent of the Legislative Council at its next session,

Attest,
James Mills
Secretary,

B. F. Potts
Governor,

Territory of Montana, }
Executive Department, } Helena February 24, 1882,

N. J. Montgomery, of the City of Salt Lake, Territory of Utah, was this day appointed and commissioned a Commissioner of Deeds for the Territory of Montana to reside in the Territory of Utah, for the period of three years from this date,

Attest,
James Mills
Secretary,

B. F. Potts
Governor,

Territory of Montana, }
Executive Department, } Helena March 1, 1882

It having been made to appear to me by the testimony of William J. Stephens, Probate Judge of Missoula County, Montana Territory, that Samuel Brunelle of said County is insane and indigent, I have this day issued a warrant to the Sheriff of said County to forthwith convey the said Samuel Brunelle to the Asylum at Warm Springs, Deer Lodge County and deliver him to W. A. H. Mitchell, the Contractor for the care and medication of the indigent insane of this Territory

Attest,
James Mills
Secretary,

B. F. Potts
Governor

Territory of Montana, }
Executive Department, } Helena March 1, 1882,

The following named persons were this day appointed Notaries Public for the period of three years from this date, subject to the advice and consent of the Legislative Council at its next session.

Israel Salinger, Lewis & Clarke Co,

B. F. Potts
Governor

Attest James Mills Secretary

Territory of Montana,
Executive Department, } Helena March 7. 1882,

The following persons were this day appointed Notaries Public for the period of three years from this date, subject to the advice and consent of the Legislative Council at its next Session,

J. M. O. Green,	Jefferson County,
Michael O'Sullivan	Lewis & Clark "
A. E. Pound,	" "
Joseph M. Kaiser	Chouteau "
Henry G. McDaniel	" "

Attest
James Mills
Secretary

B. F. Potts
Governor

Territory of Montana,
Executive Department,

Whereas, At the November Term of the District Court, 1878, held in and for Lewis and Clark County, Montana Territory, John R. Kleas was convicted of the crime of assault with a deadly weapon with intent to do bodily injury on the person of Antoine Seminoe, and ordered to pay a fine of five hundred dollars and costs of suit;

And whereas, Such representations have been made by Hon. R. S. Wade, Chief Justice of Montana Territory, and a large number of citizens and tax-payers of said County, that the said fine should be remitted;

Now therefore, I, Benjamin F. Potts, Governor of Montana, by virtue of the authority vested in me as Governor by the laws of the United States and of this Territory, hereby remit said fine so imposed and grant full pardon to said John R. Kleas.

In testimony whereof I have set my hand and caused the Seal of the Territory of Montana to be affixed,

Seal,

Done at Helena, the Capital of said Territory, this 10th day of March, A. D. 1882, and of the Independence of the United States the one hundred and sixth,

B. F. Potts

By the Governor,
James Mills
Secretary

Territory of Montana,
Executive Department, } Helena, March 14, 1882.

It having been made to appear by a transcript of the proceedings of the Probate Court of Beaverhead County, Montana Territory, that Philip Sean, of said County, is insane and indigent, I have this day issued a warrant to the Sheriff of said Beaverhead County to forthwith convey the said Philip Sean to the Asylum at Warm Springs, Blue Lodge County, and deliver him to Dr. A. H. Mitchell, the Contractor for the care and medication of the indigent insane of this Territory.

Attest,
James Mills
Secretary.

B. F. Potts
Governor.

Territory of Montana,
Executive Department, }

Whereas, At the March term of the District Court, 1880, held in and for Gallatin County, Montana Territory, Frederick Fox was convicted of the crime of grand larceny, and sentenced to confinement in the United States Penitentiary at Blue Lodge City for the period of five years;

And whereas, Such representations have been made by Hon. E. J. Conger, Associate Justice of the Supreme Court, R. P. Vivian, late Dist. Att. Second Judicial District, and sixty other citizens that said Frederick Fox may with propriety be pardoned by the Executive authority of this Territory;

Therefore, By virtue of the authority vested in me as Governor by the laws of the United States and of this Territory, I hereby grant a full pardon to said Frederick Fox, and restore him to all of his civil rights so far as Executive authority extends, upon the condition that he will forever abstain from the use of intoxicating liquors as a beverage.

In testimony whereof I have set my hand and caused the Great Seal of the Territory to be affixed,

Seal.

Done at Helena, the Capital, this fourteenth day of March, A.D. 1882, and of the Independence of the United States the one hundred and sixth.

By the Governor,
James Mills
Secretary.

B. F. Potts

Condition of pardon of Frederick Fox,

I, Frederick Fox, now confined in the Penitentiary at Deer Lodge City, for the crime of grand larceny do hereby accept the conditions set forth in the pardon granted me on the fourteenth day of March A.D. 1882, by the Governor of Montana Territory to wit; that I will forever abstain from the use of intoxicating liquors as a beverage, under the penalty of re-arrest and imprisonment to serve out the unexpended term of my sentence; and this I promise without any mental reservation or purpose of evasion.

Signed at Deer Lodge, Mon. Ter. this 17th day of March, A.D. 1882. (Signed) Frederick Fox,

Witness to signature
James H. Mills.

Territory of Montana,
Executive Department,

Whereas, At the March term of the District Court, 1880, held in and for Deer Lodge County, Montana Territory, Tong Ah Ah, (Chinaman) was convicted of the crime of assault with a deadly weapon with intent to do great bodily injury, and sentenced to confinement in the United States Penitentiary at Deer Lodge City, for the period of seven years;

And whereas, Such representations have been made by four of the jurors who rendered the verdict, and twenty-nine Chinamen, that said Tong Ah Ah, (Chinaman) may with propriety be pardoned by the Executive authority of this Territory;

Therefore, By virtue of the authority vested in me as Governor by the laws of the United States and of this Territory, I hereby grant a full pardon to said Tong Ah Ah (Chinaman.)

In testimony whereof I have set my hand and caused the Great Seal of the Territory to be affixed.

Seal.

Done at Helena, the Capital this fourteenth day of March, A.D. 1882, and of the Independence of the United States the one hundred and sixth.

By the Governor,
James Mills
Secretary.

A. J. Poore

Territory of Montana,
Executive Department.

Whereas, At the September term of the District Court, 1881, held in and for Choteau County, Montana Territory, Francis Cassidy was convicted of the crime of grand larceny and sentenced to confinement in the United States Penitentiary at Deer Lodge City, for the period of one year;

And whereas, Such representations have been made by Hon. D. S. Wade, Chief Justice, Hon. F. M. Sanders, Dist. Attorney, eight of the jurors who rendered the verdict, and many other citizens, that said Francis Cassidy may with propriety be pardoned by the Executive authority of this Territory;

Therefore, By virtue of the authority vested in me by the laws of the United States and of this Territory I hereby grant a full pardon to said Francis Cassidy and restore him to all of his civil rights so far as Executive authority extends upon the condition that he will forever abstain from the use of intoxicating liquors as a beverage.

In testimony whereof I have set my hand and caused the Seal of the Territory to be affixed.

Seal.

Done at Helena, the Capital, this fourteenth day of March, A.D. 1882, and of the Independence of the United States the one hundred and sixth.

By the Governor
B. F. Potts
James Mills
Secretary.

Condition of Pardon of Francis Cassidy.

I, Francis Cassidy, now confined in the Penitentiary at Deer Lodge City for the crime of grand larceny, hereby voluntarily and without mental reservation or purpose of evasion, hereby accept the pardon granted me by the Governor of Montana Territory March 14, A.D. 1882, upon the condition specified in said pardon, to wit; That I will forever abstain from the use of intoxicating liquors as a beverage, and in default thereof that I again be imprisoned in said Penitentiary to serve out the remainder of my sentence to confinement.

Signed at Deer Lodge, Mon. Ter. this 17th day of March, A.D. 1882. (Signed) Francis Cassidy.

Witness to signature
James H. Mill.

Territory of Montana,
Executive Department.

Whereas, It appears from a certificate of the County Clerk of Beaverhead County, Montana Territory, now on file in this office, that David A. Dingley, of said County, who holds a commission as Notary Public, did on the 29th day of September, A.D. 1881, without authority of law, attempt to solemnize the marriage contract between James R. Higginbottom and Mary E. Gilbert.

Now therefore, By virtue of the authority vested in me as Governor by the laws of this Territory, I hereby revoke and declare void from this date the appointment and commission of said David A. Dingley, resident at Dillon, Beaverhead County, Montana Territory as Notary Public.

A copy of this order will be sent to the said David A. Dingley and also the Clerk of Beaverhead County.

Seal.

Witness my hand and the seal of the Territory of Montana, at Helena, the Capital, this twentieth day of March, A.D. 1882.

B. F. Potts

By the Governor,
James Mills
Secretary.

Territory of Montana,
Executive Department } Helena March 20, 1882.

The following named persons were this day appointed Notaries Public for the period of three years from this date, subject to the advice and consent of the Legislative Council at its next session,

William Gaddis,	Meagher County,
George D. Farrell,	Custer "
David O. Brien	Madison "

Attest James Mills Secretary

B. F. Potts. Governor

Territory of Montana,
Executive Department,

Whereas, At the September term of the District Court, 1881, held in and for Beaverhead County, Montana Territory, Ralph W. Osborn and A. E. Foster were convicted of the crime of assault and battery, and sentenced to pay a fine of ten dollars each;

And Whereas, Such representations have been made by S. C. Fythrie and ninety-seven other citizens that said

Ralph W. Osborn and A. E. Porter may with propriety be pardoned by the Executive authority of this Territory.

Therefore, By virtue of the authority vested in me as Governor by the Laws of the United States and of this Territory I hereby grant a full pardon to said Ralph W. Osborn and A. E. Porter and remit the fine assessed against them.

In testimony whereof I have set my hand and caused the Seal of the Territory of Montana to be affixed.

Seal.

Done at Helena the Capital, this twenty-fifth day of March A.D. 1882, and of the Independence of the United States the one hundred and seventh.

By the Governor,
James Mills
Secretary

B. F. Potts

Territory of Montana,
Executive Department, } Helena March 28, 1882.

The following named persons were this day appointed Notaries Public for the period of three years from this date, subject to the advice and consent of the Legislative Council at its next session,

Patrick Falen,	Silver Bow County.
John Toombs	Meagher "
John W. Pomeroy	Gallatin "

Attest
James Mills
Secretary

B. F. Potts
Governor.

Territory of Montana,
Executive Department, } Helena March 30, 1882.

It having been made to appear to me by the certificate of the Probate Judge of Custer County, Montana Territory, that Thomas Nolan of said County is insane and indigent, I did, on the fifteenth day of March, A.D. 1882, issue a warrant to the Sheriff of said Custer County to forthwith convey the said Thomas Nolan to the Asylum at Warm Springs, Deer Lodge County, and deliver him to Dr. A. H. Mitchell, the Contractor for the care and medication of the indigent insane of this Territory.

Attest
James Mills
Secretary.

B. F. Potts
Governor.

Territory of Montana,
Executive Department, } Helena April 10, 1882.

The following named persons were this day appointed Notaries Public for the period of three years from this date, subject to the advice and consent of the Legislative Council at its next session,

William L. Hogg, Silver Bow County,
N. B. Smith " Meagher "

B. F. Potts
Governor.

Attest,
James Mills
Secretary.

Territory of Montana,
Executive Department, } Helena April 17, 1882.

It having been made to appear to me by the certificate of the Probate Judge of Jefferson County, Montana Territory, that Martha Thompson of said County is insane and indigent, I have this day issued a warrant to the Sheriff of said county to forthwith convey the said Martha Thompson to the Asylum at Warm Springs, Deer Lodge County, and deliver her to A. H. Mitchell, the Contractor for the care and medication of the indigent insane of this Territory.

B. F. Potts
Governor.

Attest,
James Mills
Secretary.

Territory of Montana,
Executive Department, } Helena April 18, 1882.

Leonard R. Hadley of the City and State of New York, was this day appointed and commissioned a Commissioner of Deeds for the Territory of Montana to reside in the State of New York, for the period of three years from this date.

B. F. Potts
Governor.

James Mills

Territory of Montana, }
Executive Department, } Helena April 18, 1882.

The following named persons were this day appointed Notaries Public for the period of three years from this date, subject to the advice and consent of the Legislative Council at its next Session;

Elbert E. Parman 2nd, Missoula County,
Oswald C. Morton, Choteau County,

Attest,
James Mills
Secretary,

B. F. Potts
Governor,

Territory of Montana }
Executive Department }

Benjamin F. Potts, Governor of Montana Territory, & Ex Officio Executive, the Governor of Nyoman's Territory }

Whereas, It appears by the affidavits and certificates herewith accompanying which I hereby certify to be authentic and in accordance with the laws of this Territory that Daniel Hallinger is charged with the crime of grand larceny.

And whereas, It appears that the said Daniel Hallinger has fled from justice in this Territory and has taken refuge in the Territory of Montana.

Now therefore, Pursuant to the Constitution and the laws of the United States in such cases made and provided, I do hereby request that the said Daniel Hallinger be apprehended and delivered to Thomas H. Graves who is hereby authorized to receive said Daniel Hallinger and convey him to the Territory of Montana there to be dealt with in accordance with the laws.

In testimony whereof I have hereunto set my hand and caused the Seal of the Territory of Montana to be affixed.

Done at Helena, the Capital, this 29th day of April, A.D. 1882, and of the Independence of the United States the one hundred and sixth.

B. F. Potts

By the Governor,
James Mills
Secretary,

Territory of Montana,
Executive Department, } Helena April 7th 1882.

Leave is made to appear to me, by the certificate of the Probate Judge of Jefferson County, Montana Territory, that John W. Todd, of said County, is insane and incurably so. I have this day issued a warrant to the Sheriff of said Jefferson County, to convey the said John W. Todd to the Asylum at Warm Springs, Deer Lodge County, and deliver him to Dr. A. M. Pratt, the Contractor for the care and medication of the indigent insane of this Territory.

Attest,
James Mills
Secretary

B. F. Potts
Governor

Territory of Montana,
Executive Department, } Helena April 7th 1882.

Thomas G. Merrill of Lewis and Clarke County, was this day appointed a Notary Public subject to the advice and consent of the Legislative Council at its next Session for the period of three years from this date.

Attest,
James Mills
Secretary

B. F. Potts
Governor

Territory of Montana,
Executive Department, }

To Thomas H. Irvine Esq., Sheriff of Lewis County, Montana Territory.

Whereas, a requisition has been made upon me by the Governor of the State of Illinois for the surrender of the body of James E. McGrail, a fugitive from justice of said State of Illinois, charged with the crime of forgery, as appears by a certified copy of the indictment and other documents which are certified to be authentic, and which have been filed in the Executive office of this Territory.

Therefore I hereby command you to apprehend the said James E. McGrail wherever he may be found in this Territory, and upon the payment of all legal costs and charges to deliver him to James O. Butler, the Agent of the State of Illinois, duly appointed, in order that he may be conveyed to the said State at the expense of the said State,

thereto be tried for the crime charged against him, and of this warrant and your proceedings thereon, make due return to this office.

In testimony whereof I have hereunto subscribed my name and caused the Seal of the Territory of Montana to be affixed at Helena, the Capital, this 26th day of April, A.D. 1882, and of the Independence of the United States the one hundred and Sixth.

Seal.

By the Governor,
James Mills
Secretary.

B. F. Potts

Territory of Montana,
Executive Department, } Helena May 1, 1882.

Milton C. Soniat of the City of New Orleans, State of Louisiana, was this day appointed and commissioned a Commissioner of Deeds for the Territory of Montana to reside in the State of Louisiana, for the period of three years from this date.

Attest,
James Mills
Secretary.

B. F. Potts
Governor.

Territory of Montana,
Executive Department, } Helena May 1, 1882.

Richard C. Child of the City of Philadelphia, State of Pennsylvania, was this day appointed and commissioned a Commissioner of Deeds for the Territory of Montana to reside in the State of Pennsylvania for the period of three years from this date.

Attest,
James Mills
Secretary.

B. F. Potts
Governor.

Territory of Montana,
Executive Department, } Helena May 1, 1882.

The following named persons were this day appointed Notaries Public for the period of three years from this date, subject to the advice and consent of the Legislative Council at its next session.

Nine of Malta, Gallatin County.

Attest,
James Mills
Secretary.

B. F. Potts
Governor.

Territory of Montana,
Executive Department.

Whereas, At the November term of the District Court 187[illegible], held in and for Deer Lodge and Clarke Counties, Montana Territory, James Gloster was convicted of the crime of murder in the second degree, and sentenced to confinement in the United States Penitentiary at Deer Lodge City, for the period of ten years;

And Whereas, Such representations have been made by Hon. A. S. Wade, Chief Justice of Montana Territory, Colo. N. Choteau, Sheriff, E. McWright, A. M. Holter, H. H. Parchen, John M. Swearer, and Seventeen other of the most influential citizens of Deer Lodge and Clarke County, that said James Gloster may with propriety be pardoned by the Executive authority of this Territory;

Therefore, By virtue of the authority vested in me as Governor by the laws of the United States and of this Territory, I hereby grant a full pardon to said James Gloster and restore him to all of his civil rights so far as Executive authority extends upon the condition that he will forever abstain from the use of intoxicating liquors as a beverage.

In testimony whereof, I have hereunto set my hand and caused the Seal of the Territory of Montana to be affixed at Helena, the Capital, this 8th day of May, A.D. 1882, and of the Independence of the United States the one hundred and sixth.

Seal.

By the Governor,
James Mills Secretary.

B.F. Potts

Conditions of pardon of James Gloster.

Territory of Montana,
County of Deer Lodge,

I, James Gloster, now confined in the Penitentiary at Deer Lodge City for the crime of murder in the second degree, hereby voluntarily and without mental reservation or purpose of evasion, hereby accept the pardon granted me by the Governor of Montana Territory May 8th A.D. 1882, upon the condition specified in said pardon, to wit: That I will forever abstain from the use of intoxicating liquors as a beverage, and in default thereof, that I again be imprisoned in said Penitentiary to there serve out the the remainder of my sentence to confinement.

Signed at Deer Lodge City, Mon. Ter, May 10th A.D. 1882,

Witness to Signature
W. A. B. Neil. Warden.

(Signed) James Gloster,

Territory of Montana,
Executive Department, } Helena May 9. 1882.

Thomas W. Folsom of the City and State of New York was this day appointed and commissioned a Commissioner of Deeds for the Territory of Montana to reside in the State of New York, for the period of three years from this date.

Attest,
Jas. Mills
Secretary.

B. F. Potts
Governor.

Territory of Montana,
Executive Department, }

Whereas, At the April term of the Probate Court of Deer Lodge and Clark County, Montana Territory, 1882, Ah Ung (Chinaman) was convicted of the crime of drawing and exhibiting a deadly weapon in a threatening manner and sentenced to confinement in the County Jail for a term of ninety days;

And, Whereas such representations have been made by Hon. Joseph Mark, Probate Judge of said County that said Ah Ung (Chinaman) may with propriety be pardoned by the Executive authority of this Territory;

Now therefore, By virtue of the authority vested in me as Governor by the laws of the United States and of this Territory I hereby grant a full pardon to said Ah Ung (Chinaman)

Seal

In testimony whereof I have set my hand and caused the Seal of the Territory to be affixed at Helena, the Capital, this tenth day of May A.D. 1882, and of the Independence of the United States the one hundred and sixth.

By the Governor,
Jas. Mills
Secretary.

B. F. Potts

Territory of Montana,
Executive Department, } Helena May 12, 1882.

It having been made to appear to me by a certificate of the Probate Judge of Meagher County, Montana Territory that Louis Neding of said county is insane and indigent, I have this day issued a warrant to the Sheriff of said county to forthwith convey the said Louis Neding to the Asylum at Warm Springs, Deer Lodge County and deliver him to Dr. A. H. Nutter the Contractor for the care

and medication of the indigent insane of this Territory,

Attest,
James H. Mills
Secretary,

B. F. Potts
Governor,

Territory of Montana,
Executive Department, } Helena May 20, 1882.

C. M. Lanning of Choteau County, was this day appointed and commissioned a Notary Public for the period of three years, subject to the advice and consent of the Legislative Council at its next session,

Attest,
James H. Mills
Secretary,

B. F. Potts
Governor,

Territory of Montana,
Executive Department, } Helena May 20, 1882,

The resignation of Charles T. Soniat as Commissioner for Montana Territory to reside in the City of New Orleans, State of Louisiana, having been this day received the same is hereby accepted

Attest,
James H. Mills
Secretary,

B. F. Potts
Governor,

Territory of Montana,
Executive Department, }

Whereas, At the April term of the Probate Court of Lewis and Clarke County, 1882, William Morgan was convicted of the crime of petit larceny and sentenced to confinement in the county jail of said county for the period of three months;

And whereas, Such representations have been made by Hon. Jos. Davis, Probate Judge, Chas. D. Hard and others, that said William Morgan may with propriety be pardoned by the Executive authority of this Territory;

Therefore, By virtue of the authority vested in me by the laws of the United States and of this Territory, I hereby grant a full pardon to said William Morgan, and restore him to all his civil rights so far as Executive authority extends,

In witness whereof I have hereunto set my hand and caused the seal of the Territory of Montana to be affixed, at Helena, the Capital, this twenty-fourth

Seal, day of May, A.D. 1882, and of the Independence of the United States the one hundred and sixth.

B F Potts

By the Governor,
James Mills
Secretary.

Territory of Montana,
Executive Department.

Whereas, At the May term of the Probate Court of Lewis and Clarke County, 1882, Al. G. Gordrich was convicted of the crime of assault and battery and sentenced to confinement in the county jail of said county for the period of six months, and to pay a fine of ten dollars and costs of suit;

And whereas, A petition has been presented to me signed by Hon. J. P. Wolman, Territorial Auditor, Hon. Jos. K. Toole, John R. Waters Esq. Hon. A. M. Wolfolk, and many others, praying that the said Al. G. Gordrich be pardoned by the Executive authority of this Territory,

Therefore, By virtue of the authority vested in me as Governor by the laws of the United States and of this Territory, I hereby grant a full pardon to said Al. G. Gordrich upon the condition that he will abstain from the use of intoxicating liquors for the period of six months from this date,

Seal, In witness whereof I have hereunto set my hand and caused the seal of the Territory to be affixed at Helena, the Capital, this twenty-fourth day of May, A.D. 1882, and of the Independence of the United States the one hundred and sixth.

B F Potts

By the Governor,
James Mills
Secretary.

Condition of pardon of Al. G. Gordrich.

I, Al. G. Gordrich, now confined in the county jail of Lewis and Clarke County, Montana Territory, for the crime of assault and battery, hereby accept the condition of the pardon granted me May 24, 1882, by the Governor of this Territory, to wit; That I will abstain from the use of intoxicating liquors for the period of six months, under the penalty of being again arrested and returned to the county jail, to there serve out the remainder of my sentence to imprisonment.

Signed in presence of H. B. Brainard, Chas. McJeffers Sheriff } (Signed) A. G. Gordrich.
this 24th d. of May. 1882

Territory of Montana,
Executive Department, } Helena May 27, 1882.

The following named persons are this day appointed Notaries Public for the period of three years from this date subject to the advice and consent of the Legislative Council at its next session:

Alonzo S. Reed, Lewis and Clarke County
H. B. Wilkins Jun " " " "

Attest James Sullivan
Secretary

B. F. Potts
Governor

Oath.

I, Isaac D. McCutchon, do solemnly swear that I have never voluntarily borne arms against the United States since I have been a citizen thereof; that I have voluntarily given no aid, countenance, counsel or encouragement to persons engaged in armed hostility thereto; that I have neither sought nor accepted, nor attempted to exercise the functions of, any office whatever under any authority, or pretended authority, in hostility to the United States; that I have not yielded a voluntary support to any pretended government, authority, power, or constitution within the United States, hostile or inimical thereto. And I do further swear that to the best of my knowledge and ability, I will support and defend the Constitution of the United States against all enemies, foreign and domestic; and that I will bear true faith and allegiance to the same; that I take this obligation freely, without mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter; So help me God.

(Signed) Isaac D. McCutchon,

Sworn to and subscribed before me, this first day of June, A. D. 1882,
Lucius S. Wade,
Chief Justice of Montana.

Filed in the office of the Secretary of Montana Territory, June 1, A. D. 1882.

Isaac D. McCutchon
Secretary of Montana.

Territory of Montana,
Executive Department, } Helena June 1, 1882.

The following named persons were this day appointed Notaries Public for the period of three years from this date, subject to the advice and consent of the Legislative Council at its next session:

Frank H. Baker,	Lewis & Clarke County,
Fenno T. Osgood	" " "
H. H. Mund	Custer "
William H. De Witt	Silver Bow "
Henry G. Sanborn	Meagher "

Attest,
Isaac W. Cutchem
Secretary,

B. F. Potts Governor,

Territory of Montana,
Executive Department, } Helena June 14, 1882.

It having been made to appear to me by a certified transcript of proceedings of the Probate Court of Deer Lodge County, Montana Territory, that Julian Savat and and James Finlay, both of said County of Deer Lodge, are insane and indigent, I have this day issued a warrant to the Sheriff of said Deer Lodge County to forthwith convey the said Julian Savat and James Finlay to the Asylum at Warm Springs, Deer Lodge County, and deliver them to Dr. A. H. Mitchell, the Contractor for the care and medication of the indigent insane of this Territory.

Attest,
Isaac W. Cutchem
Secretary,

B. F. Potts
Governor,

Territory of Montana,
Executive Department, } Helena June 17, 1882.

The following named persons were this day appointed Notaries Public for the period of three years from this date, subject to the advice and consent of the Legislative Council at its next session;

W. F. Parker,	Lewis & Clarke County
Edward N. Billups,	Lewis & Clarke County
Gustavus A. Wolf	Missoula "
Fletcher McC. Maddox	Lewis & Clarke "
Eugene L. Hopkins	" " "

Attest,
Isaac W. Cutchem Secretary,

B. F. Potts
Governor

Territory of Montana,
Executive Department,

Whereas, On the twentieth day of May, A.D. 1882, Cassius M. Lanning of Choteau County, Montana Territory, was appointed and commissioned a Notary Public in and for said Territory;

And whereas, Representations as to the incompetency of said Lanning to perform the duties of the office of Notary Public having been filed in my office by William H. Hunt Jun. and P. A. Cummings Esquires;

Now therefore, I, Benjamin F. Potts, Governor of Montana Territory, by virtue of the authority conferred on me by law, hereby revoke and declare void from this date the appointment and commission of said Cassius M. Lanning as Notary Public.

A copy of this order will be sent to the said Cassius M. Lanning, and also to the Clerk of Choteau County.

Seal.

In witness whereof I have hereunto set my hand and caused the Seal of the Territory to be affixed at Helena, the Capital, this 24th day of June A.D. 1882.

By the Governor
Isaac D. McCutchen
Secretary.

B. F. Potts
Governor

Territory of Montana,
Executive Department, } Helena June 23, 1882.

The following named persons were this day appointed Notaries Public for the period of Three Years from this date, subject to the advice and consent of the Legislative Council at its next Session;

Wm. H. Buchanan,	Meagher County
Geo. C. Randolph	Silver Bow "
John H. Shober	Lewis & Clarke "
Anderson Baker	Missoula "

Attest,
Isaac D. McCutchen Secretary

B. F. Potts
Governor

Territory of Montana,
Executive Department, } Helena June 24. 1882.

The resignation of Thomas G. Merrill as Notary Public for this Territory, having been this day received, the same is hereby accepted.

Attest,
Isaac D. McCutchen
Secretary

B. F. Potts
Governor

Territory of Montana,
Executive Department.

Whereas, At the February term of the District Court, 1882, held in and for Silver Bow County, Montana Territory, William Bluefield was convicted of the crime of grand larceny and sentenced to confinement in the Penitentiary at Deer Lodge City for the period of one year;

And whereas, Such representations have been made by Hon. Saml. Word, Alex E. Mayhew, District Attorney, Hon. W. J. Galbraith, Associate Justice of the Supreme Court, that said William Bluefield may with propriety be pardoned by the executive authority of this Territory;

Therefore, By virtue of the authority vested in me as Governor by the laws of the United States and of this Territory, I hereby grant a full pardon to said William Bluefield, and restore him to all of his civil rights so far as Executive authority extends.

In testimony whereof I have set my hand and caused the Seal of the Territory of Montana to be affixed at Helena, the Capital, this twenty-fourth day of June, A. D. 1882, and of the Independence of the United States the one hundred and sixth.

Seal.

By the Governor,
Jas. S. McCutcheon
Secretary.

B. F. Potts
Governor

Territory of Montana,
Executive Department. } Helena June 24, 1882.

It having been made to appear to me by a certificate of the Probate Judge of Meagher County, Montana Territory, that — Zack of said County is insane and indigent, I have this day issued a warrant to the Sheriff of said Meagher County to forthwith convey the said Zack to the Asylum at Warm Springs, Deer Lodge County, and deliver him to Dr. A. H. Mitchell, the Contractor for the care and medication of the indigent insane of this Territory.

Attest
Jas. S. McCutcheon
Secretary.

B. F. Potts
Governor.

Territory of Montana,
Executive Department. } Helena June 30. 1882.

Joseph B. Brannan of the City of Boston, State of Massachusetts, was this day appointed and commissioned a Commissioner of Deeds for the Territory of Montana, resident in the State of Massachusetts, for the period of three years from this date.

attest,
Thos. H. Cutler
Secretary.

B. F. Potts
Governor.

Territory of Montana,
Executive Department, } Helena July 1, 1882,

Charles A. Shaw of the City of Boston, State of Massachusetts, was this day appointed and commissioned Commissioner of Deeds for the Territory of Montana to reside in the State of Massachusetts for the period of three years from this date,

Attest,
Isaac D. McCutcheon
Secretary,

B. F. Potts
Governor,

Territory of Montana,
Executive Department, } Helena July 1, 1882,

It having been made to appear to me by the representation of the Probate Judge of Choteau County, Montana Territory, that Thomas Nolan of said County is insane and indigent, I have this day issued a warrant to the Sheriff of said Choteau County to forthwith convey the said John Nolan to the Asylum at Warm Springs, Deer Lodge County, and deliver him to Dr. A. H. Mitchell, the Contractor for the care and medication of the indigent insane of this Territory,

Attest,
Isaac D. McCutcheon
Secretary,

B. F. Potts
Governor,

Territory of Montana,
Executive Department, } Helena July 5, 1882,

The following named persons are this day appointed Notaries Public for the term of three years, subject to the advice and consent of the Legislative Council at its next session;

Warren C. Gillette,	Lewis & Clarke County,
Simon E. Manning	Silver Bow "
Thomas J. Lewis	Lewis & Clarke "
Thomas H. Carter	Lewis & Clarke "
Ezekiel R. Allen	Jefferson "
Cason C. Bartholomew	Lewis & Clarke "
Chas. N. Turner	Beaverhead "
William R. Bramble	Gallatin "
John R. Forbis	Silver Bow "
Henry N. Foote	Lewis & Clarke "
Hodden E. Riddle	Lewis & Clarke "

Isaac D. McCutcheon
Secretary

B. F. Potts
Governor,

Territory of Montana,
Executive Department,

Whereas, At the November term of the District Court, 1881, held in and for Missoula County, Montana Territory, Daniel Boyd was convicted of the crime of grand larceny and sentenced to confinement in the Penitentiary at Deer Lodge City, for the period of two years;

And whereas, Such representations have been made by Frank H. Woody, Hon. W. J. Galbraith, Associate Justice of the Supreme Court, Hon. Alex. E. Mayhew District Attorney and many other citizens that said Daniel Boyd may with propriety be pardoned by the Executive authority of this Territory,

Therefore, By virtue of the authority vested in me as Governor by the laws of the United States and of this Territory I hereby grant a full pardon to said Daniel Boyd and restore him to all of his civil rights, so far as Executive Authority extends upon the condition that he will forever abstain from the use of intoxicating liquors as a beverage,

In testimony whereof I have set my hand and caused the Seal of the Territory of Montana to be affixed at Helena, the Capital, this tenth day of July, A.D. 1882, and of the Independence of the United States the one hundred and seventh,

By the Governor,
Alex. C. McFarlane
Secretary,

B. F. Potts

Condition of Pardon,

Territory of Montana,
County of Deer Lodge,

I, Daniel Boyd, now confined in the Penitentiary at Deer Lodge City, Montana Territory for the crime of grand larceny, hereby, voluntarily, and without mental reservation or purpose of evasion, accept the pardon granted me by the Governor of Montana Territory July 10th A.D. 1882 upon the conditions specified in said pardon, to wit: That I will forever abstain from the use of intoxicating liquors as a beverage, and in default thereof, that I again be imprisoned in said Penitentiary to there serve out the remainder of the term of my sentence to confinement,

Witness my signature at Deer Lodge City, Montana Territory, this July 12, A.D. 1882,

Witness to signature,
M. M. Lockwood, S. P. Hanschild

(Signed) Daniel Boyd,

Territory of Montana,
Executive Department,

Whereas, At the May term of the District Court, 1880, held in and for Custer County, Montana Territory, Samuel Prasler was convicted of the crime of grand larceny and jail breaking, and sentenced to confinement in the Penitentiary at Deer Lodge City for the period of six years;

And whereas, "Such representations have been made by Hon. P. H. Garlock, J. M. Sherrill, Thomas H. Irvine, Sheriff of Custer County, and many other citizens that said Samuel Prasler may with propriety be pardoned by the Executive authority of this Territory;

Therefore, By virtue of the authority vested in me as Governor by the laws of the United States and of this Territory, I hereby grant a full pardon to said Samuel Prasler and restore him to all of his civil rights so far as executive authority extends upon the condition that he will forever abstain from the use of intoxicating liquors as a beverage,

In testimony whereof I have set my hand and caused the Seal of the Territory of Montana to be affixed at Helena, the Capital, this twelfth day of July, A. D. 1882, and of the Independence of the United States the one hundred and seventh,

By the Governor,
Jno D M Gutelius
Secretary

B. F. Potts

Condition of Pardon,

I, Samuel Prasler, now confined in the Penitentiary at Deer Lodge City, Montana Territory, for the crime of grand larceny and jail breaking, hereby, voluntarily and without mental reservation or purpose of evasion, accept the pardon granted me by the Governor of Montana Territory, July 10th A. D. 1882, upon the conditions specified in said pardon, to wit; That I will forever abstain from the use of intoxicating liquors as a beverage, and in default thereof, that I again be imprisoned in said Penitentiary to there serve out the remainder of the term of my sentence to confinement,

Witness my signature at Deer Lodge City, Montana Territory, this July 12, A. D. 1882,

Witness to signature
M. M. Lockwood,
S. P. Hauschild,

(Signed) Samuel Prasler

Territory of Montana,
Executive Department,

Whereas, At the October term of the District Court, 1881 held in and for Meagher County, Montana Territory, Samuel Borden was convicted of the crime of grand larceny, and sentenced to confinement in the Penitentiary at Deer Lodge City, for the period of five years;

And whereas, Such representations have been made by Job Thompson, Gavin Johnston, and forty-four other citizens of Meagher County, that said Samuel Borden may with propriety be pardoned by the Executive authority of this Territory;

Therefore, By virtue of the authority vested in me as Governor by the laws of the United States and of this Territory I hereby grant a full pardon to said Samuel Borden and restore him to all of his civil rights so far as Executive authority extends upon the condition that he will forever abstain from the use of intoxicating liquors as a beverage.

In testimony whereof I have set my hand and caused the Seal of the Territory of Montana to be affixed at Helena, the Capital this tenth day of July, A.D. 1882, and of the Independence of the United States the one hundred and seventh

By the Governor,
Geo. O. McCahon
Secretary

B. F. Potts

Condition of Pardon,

I, Samuel Borden, now confined in the Penitentiary at Deer Lodge City, Montana Territory for the crime of grand larceny, hereby, voluntarily, and without mental reservation or purpose of evasion, accept the pardon granted me by the Governor of Montana Territory July 10th A.D. 1882 upon the condition specified in said pardon, to wit; That I will forever abstain from the use of intoxicating liquors as a beverage, and in default thereof, that I again be imprisoned in said Penitentiary to there serve out the remainder of my sentence to confinement;

Witness my signature at Deer Lodge City, Montana Territory this July 12, A.D. 1882,

Witness to signature,
M. M. Lockwood,
S. P. Hauschild,

(Signed) Samuel Borden,

Territory of Montana,
Executive Department,

Whereas, At the February term of the District Court, 1882, held in and for Jefferson County, Montana Territory, James Duncan was convicted of the crime of Grand Larceny, and sentenced to the Penitentiary at Deer Lodge City for the period of six months;

And whereas, Such representations have been made by Hon. D. S. Wade, Chief Justice, Thos. J. Lawson, Dist. Attorney, Hon. W. E. Cullen, Marcena Bullard and R. Lockey that said James Duncan can with propriety be pardoned by the Executive authority of this Territory;

Therefore, By virtue of the authority vested in me as Governor by the laws of the United States and of this Territory, I hereby grant a full pardon to said James Duncan and restore him to all of his civil rights so far as Executive authority extends.

In testimony whereof I have hereunto set my hand, and caused the seal of the Territory of Montana to be affixed at Helena, the Capital this 28th day of July, A. D. 1882, and of the Independence of the United States the one hundred and seventh.

Seal

B. F. Potts

By the Governor
Saml. V. McCultum
Secretary

Territory of Montana,
Executive Department,

Whereas, At the November term of the District Court, 1880, held in and for Lewis and Clarke County, Montana Territory, John A. Jerrang was convicted of the crime of Grand Larceny and sentenced to confinement in the Penitentiary at Deer Lodge City for the period of five years;

And whereas, Such representations have been made by William Chumasero that said John A. Jerrang may with propriety be pardoned by the Executive authority of this Territory;

Therefore, By virtue of the authority vested in me as Governor by the laws of the United States and of this Territory, I hereby grant a full pardon to said John A. Jerrang, and restore him to all of his civil rights so far as Executive authority extends.

Seal,

In testimony whereof I have hereunto set my hand and caused the Seal of the Territory of Montana to be affixed at Helena, the Capital, this 28th day of July, A.D. 1882, and of the Independence of the United States the one hundred and seventh,

By the Governor,
Isaac D. McCutchine
Secretary,

B. F. Potts

Territory of Montana
Executive Department, } Helena July 19, 1882,

The Territory of Montana will pay a reward of One Thousand Dollars for the arrest and conviction of John D. Griffin and Taylor Marshall, indicted for kidnapping one Robert Dale Owen, a resident of Dawson County, Montana Territory,

Attest,
Isaac D. McCutchine
Secretary,

B. F. Potts
Governor,

Territory of Montana,
Executive Department, } Helena August 5. 1882,

Herbert E. Dickson of the City and State of New York was this day appointed and commissioned a Commissioner of Deeds to reside in the State of New York, for the period of three years from this date,

Attest,
Isaac D. McCutchine
Secretary

B. F. Potts
Governor

Territory of Montana,
Executive Department } Helena August 5. 1882,

The following named persons were this day appointed and commissioned Notaries Public for the period of three years from this date, subject to the advice and consent of the Legislative Council at its next session,

Samuel Word	Silver Bow County,
Francis T. McBride	Silver Bow "
Jno. J. Coleman	Custer "
Edward E. Ellery	Silver Bow "
John P. McGregor	Meagher "

Isaac D. McCutchine
Secretary

B. F. Potts
Governor

Territory of Montana, }
Executive Department, }

To Thomas H. Irvine, Sheriff of Custer County Montana Territory,

Whereas, A requisition from the Governor of the Territory of Dakota has been made upon me for the surrender of R. H. McAnick, alias O. B. Hamilton, a fugitive from justice from said Territory of Dakota, charged with the crime of burglary, as appears by a copy of the complaint and other papers filed in the office of the Executive of this Territory and duly authenticated;

Therefore, I do hereby command you to apprehend said R. H. McAnick, alias O. B. Hamilton, wherever he may be found in this Territory, and upon payment of all legal costs and charges, deliver him to Archibald McKechnie, the Agent of the Governor of said Territory of Dakota, in order that he may be conveyed to said Territory, to be there tried for the crime charged; And of this warrant, and your proceedings thereon, make due return to this office.

In testimony whereof, I have hereunto set my hand and caused the Seal of the Territory of Montana to be affixed, at Helena the Capital, this Seventh day of August, A. D. 1882, and of the Independence of the United States the one hundred and Seventh,

By the Governor

Isaac P. McCutcheon
Secretary

B. F. Potts

Seal.

Territory of Montana, }
Executive Department, } Helena August 10, 1882

It having been made to appear to me by a transcript of proceedings of the Probate Court of Madison County, Montana Territory, that Lucius H. Peck of said county is insane and indigent, I have this day issued a warrant to the Sheriff of said county to forthwith convey the said Lucius H. Peck to the Asylum at Warm Springs Deer Lodge County, and deliver him to Dr. A. H. Mitchell, the Contractor for the care and medication of the indigent insane of this Territory.

B. F. Potts
Governor

Attest:
W. W. C. Pelham Secretary

Territory of Montana,
Executive Department.

To Thomas H. Irvine, Sheriff of Custer County, Montana Territory,

Whereas, A requisition from the Governor of the Territory of Wyoming has been made upon me for the surrender of Kirkpatrick and Reed, whose Christian names are unknown, fugitives from justice from said Territory of Wyoming, charged with the crime of grand larceny, as appears by a copy of the complaint, and other papers filed in the office of the Governor of this Territory, and duly authenticated,

Therefore, I do hereby command you to apprehend said Kirkpatrick and Reed, whose Christian names are unknown, wherever they may be found in this Territory, and upon payment of all legal costs and charges, to deliver them to W. S. Hosford Esq. the Agent of the Governor of said Territory of Wyoming in order that they may be conveyed to said Territory, to be there tried for the crime charged against them. Of this warrant, and your proceedings thereon, make due return to this office.

Seal,

In testimony whereof I have hereunto set my hand and caused the Seal of the Territory of Montana to be affixed, at Helena, the Capital, this Sixteenth day of August, A.D. 1882, and of the Independence of the United States the one hundred and Seventh,

B. F. Potts

By the Governor,
Sam D. McCutcheon
Secretary,

Territory of Montana,
Executive Department. Helena August 16, 1882,

It having been made to appear to me by a certified transcript of proceedings of the Probate Court of Deer Lodge County, Montana Territory that Dennis McNamary of said County, is insane and indigent, I have this day issued a warrant to the Sheriff of said County to forthwith convey the said Dennis Namnay to the Asylum at Warm Springs, Deer Lodge County, and deliver him to Dr. A. H. Mitchell, the Contractor for the care of the indigent insane of this Territory,

B. F. Potts
Governor,

Attest
Sam D. McCutcheon
Secretary,

Territory of Montana,
Executive Department.

Whereas, At the November term of the District Court, 1879, held in and for Missoula County, Montana Territory, Mary A. Dreillard was convicted of the crime of murder in the second degree and sentenced to confinement in the Penitentiary at Deer Lodge City for the period of fifteen years;

And whereas, Such representations have been made by more than one hundred good citizens of Missoula and Deer Lodge Counties, Montana Territory, that said Mary A. Dreillard may with propriety be pardoned by the Executive authority of this Territory;

Therefore, by virtue of the authority vested in me as Governor by the laws of the United States and of this Territory, I hereby grant a full pardon to the said Mary A. Dreillard, so far as Executive authority extends.

Seal.

In testimony whereof I have hereunto set my hand and caused the Seal of the Territory of Montana to be affixed at Helena the Capital, this 26th day of August A.D. 1882, and of the Independence of the United States the one hundred and seventh.

By the Governor
[signature]
Secretary.

B. F. Potts

Territory of Montana,
Executive Department.

Helena August 28, 1882.

The following named persons have this day been appointed and commissioned Notary Publics for the period of three years from this date, subject to the advice and consent of the Legislative Council at its next session.

Henry M. Hill	Jefferson County.
William C. Stickle	Custer "
William H. Pryor	Gallatin "
Harry C. Branch	Lewis & Clarke "
Washington J. McCormick	Missoula "
John W. Eddy	Lewis & Clarke "
Francis Pope	Lewis & Clarke "
James Conley	Gallatin "

Attest,
[signature]
Secretary.

B. F. Potts
Governor.

Territory of Montana,
Executive Department, }

Benjamin F. Potts, Governor of Montana Territory,
To His Excellency, the Governor of ~~Utah~~ Idaho Territory,

Whereas, It appears by the affidavits and certificates hereunto annexed, which I hereby certify to be genuine and authentic, and in accordance with the laws of Montana Territory, that Robert Sedinghams is charged with the crime of murder;

And whereas, It appears that the said Robert Sedinghams has fled from justice in this Territory and has taken refuge in the Territory of ~~Utah~~; Idaho;

Now therefore, Pursuant to the Constitution and the laws of the United States in such case made and provided, I do hereby request that the said Robert Sedinghams be apprehended and delivered to James M. Fish Esquire, who is hereby authorized to receive said Robert Sedinghams, and convey him to the Territory of Montana, there to be dealt with according to law,

In witness whereof I have hereunto subscribed my name and caused the Seal of the Territory of Montana to be affixed at Helena, the Capital, this 12th day of September, A.D. 1882, and of the Independence of the United States the one hundred and Seventh,

Seal,

B. F. Potts

By the Governor
Steve D. McCutcheon
Secretary,

Territory of Montana,
Executive Department, }

Benjamin F. Potts, Governor of Montana Territory,
To His Excellency, the Governor of Utah Territory,

Whereas, It appears by the affidavits and certificates hereunto annexed, which I hereby certify to be authentic, and in accordance with the laws of Montana Territory, that John Tuckerman and Clarence Earl are charged with the crime of grand larceny;

And whereas, It appears that the said John Tuckerman and Clarence Earl have fled from justice to this Territory, and has taken refuge in the Territory of Utah;

Now therefore, Pursuant to the Constitution and the laws of the United States in such case made and provided,

I do hereby request that the said John Tuckerman and Clarence Earl be apprehended, and delivered to James M. Fish Esquire, who is hereby authorized to receive said John Tuckerman and Clarence Earl, and convey them to the Territory of Montana, there to be dealt with in accordance with law,

In testimony whereof I have hereunto subscribed my name and caused the seal of the Territory of Montana to be affixed at Helena, the Capital, this 12th day of September, A. D. 1882, and of the Independence of the United States the one hundred and Seventh,

Seal,

B. F. Potts

By the Governor,
Geo. W. McCutchan
Secretary,

Territory of Montana,
Executive Department, } Helena September 16, 1882,

A reward of Five Hundred Dollars is hereby offered for the apprehension and conviction of Robert Sedinghaus, charged with the crime of murder,

B. F. Potts
Governor,

Attest,
Geo. W. McCutchan
Secretary,

Territory of Montana,
Executive Department, } Helena September 23, 1882,

It having been made to appear to me by a certificate of the Chairman of the Board of County Commissioners of Gallatin County, Montana Territory that said Sarah E. Wright of said County is insane and indigent, I have this day issued a warrant to the Sheriff of said County to forthwith convey the said Sarah E. Wright to the Asylum at Warm Springs, Deer Lodge County, and deliver her to Dr. A. H. Mitchell, the Contractor for the care and medication of the indigent insane of this Territory,

B. F. Potts
Governor,

Attest,
Geo. W. McCutchan
Secretary,

Territory of Montana,
Executive Department, } Helena September 25, 1882,

It having been made to appear to me by a transcript of proceedings of the Probate Court of Deer Lodge County, Montana Territory, that Archie Lawrence of said County is insane and indigent, I have this day issued a warrant to the Sheriff of said Deer Lodge County to forthwith convey the said Archie Lawrence to the Asylum at Warm Springs, Deer Lodge County, and deliver him to Dr. A. H. Mitchell, the Contractor for the care and medication of the indigent insane of this Territory.

Attest,
Thos. P. McCutcheon
Secretary,

B. F. Potts
Governor,

Territory of Montana,
Executive Office } Helena September 25, 1882,

Edward J. Jones of the City of Boston, State of Massachusetts, was this day appointed and commissioned a Commissioner of Deeds for the Territory of Montana to reside in the State of Massachusetts for the period of three years from this date,

Attest,
Thos. P. McCutcheon
Secretary,

B. F. Potts
Governor,

Proceedings of the Apportionment Board,

Helena, Montana Territory
September 23d, 25th and 26th A. D. 1882,

Executive Office,
Montana Territory, } Helena September 23, 1882,

Pursuant to a call issued by His Excellency, Benjamin F. Potts, Governor of the Territory of Montana, the Apportionment Board met at the Executive Office in the City of Helena, M. T. September 23, 1882.

Present, } Benjamin F. Potts, Governor,
} Joseph K. Toole President of the Council,
} Decius S. Wade, Chief Justice,

Absent, John J. Kennedy, Speaker of the House of Representatives

Upon motion, the Board was organized by the election of the following officers;

President, Governor Benjamin F. Potts,
Secretary, Joseph K. Toole, President of the Council

Thereupon the Board adjourned until Monday September 25th 1882, at 7 o'clock P.M., to meet at the Executive Office in Helena,

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Executive Office,
Montana Territory, } Helena September 25, 1882,

Board met pursuant to adjournment, at 7 o'clock P.M.,

Present } Benjamin F. Potts, Governor
Colin S. Wade, Chief Justice
Joseph K. Toole, Pres't of the Council,
John J. Donnelly, Speaker of the House,

In the matter of the application of certain residents of Dawson County for the organization of said County, The Board finds from the evidence before it, that said Dawson County has a sufficient population to entitle it to organization,

Whereupon, The said County of Dawson was, and is hereby duly organized by the appointment of the following officers therefor;

County Commissioners, } E. K. Weeks,
Eben Stinson,
Robert Pontett,
Probate Judge, J. F. Malony,
Sheriff, Henry Dyon,
Treasurer, D. R. Mead,
Clerk and Recorder, George R. Tingle
Assessor, John P. Nolan,

The boundaries of said County of Dawson are hereby fixed as now established by law, and the County seat thereof fixed at Glendive,

On motion, the Board adjourned until September 26, 1882, to meet at the Executive Office at 7 o'clock P.M.

Executive Office,
Montana Territory, } Helena September 26, 1882,

Board met pursuant to adjournment,

Present, The full Board,

On motion, the Board proceeded to the consideration of the apportionment of the members of the Legislative Assembly, of the Territory of Montana; and after a full and free conference, the following apportionment was, and is, hereby made;

House of Representatives,

Beaverhead County,		Two	Members,
Choteau	" ,	Two	" ,
Custer	" ,	Two	" ,
Dawson	" ,	One	" ,
Deer Lodge	" ,	Two	" ,
Gallatin	" ,	Two	" ,
Jefferson	" ,	Two	" ,
Lewis and Clarke	" ,	Three	" ,
Madison	" ,	Two	" ,
Meagher	" ,	Two	" ,
Missoula	" ,	One	" ,
Silver Bow	" ,	Three	" ,

Council,

Dawson and Choteau counties are hereby constituted one Council District, and as such, entitled to one member of the Council, Each of the other counties in this Territory are hereby constituted a Council District, and as such, entitled to the following representation;

Beaverhead County,		One	Member,
Custer	" ,	One	" ,
Deer Lodge	" ,	One	" ,
Gallatin	" ,	One	" ,
Jefferson	" ,	One	" ,
Lewis and Clarke	" ,	Two	" ,
Madison	" ,	One	" ,
Meagher	" ,	One	" ,
Missoula	" ,	One	" ,
Silver Bow	" ,	One	" ,

No other business presenting itself, the Board, on motion, adjourned sine die,

Signed } A. S. Wade, Chief Justice,
Jos. K. Toole, Pres't of the Council,
J. J. Donnelly, Speaker of the House,

Montana Territory,
Executive Department, } Helena September 27, 1882.

Notice is hereby given that, a majority of the Apportionment Board designated by the act of Congress, approved August 3d, 1882, has reapportioned the members of the Council and House of Representatives of the Territory of Montana, as follows, to wit;

Council,

Lewis and Clarke County,		Two	Members,
Madison	"	One	"
Deer Lodge	"	One	"
Jefferson	"	One	"
Gallatin	"	One	"
Missoula	"	One	"
Beaverhead	"	One	"
Custer	"	One	"
Silver Bow	"	One	"
Meagher	"	One	"
Choteau and Dawson Counties		One	"

House of Representatives,

Beaverhead	County	Two	Members
Choteau	"	Two	"
Custer	"	Two	"
Deer Lodge	"	Two	"
Gallatin	"	Two	"
Jefferson	"	Two	"
Lewis and Clarke	"	Three	"
Meagher	"	Two	"
Madison	"	Two	"
Missoula	"	One	"
Silver Bow	"	Three	"
Dawson	"	One	"

The county of Dawson was organized, and the town of Glendive fixed as the county seat. The following officers were appointed for said county, to wit;

Commissioners,	E. K. Weeks,
	Eben Stinson,
	Robert Pollitt;
Probate Judge,	J. T. Malone
Clerk and Recorder,	George R. Tingle,
Sheriff,	Henry Dyon
Treasurer,	E. R. Mead,
Assessor,	John P. Nolan
Attest,	Secretary.

Governor

Territory of Montana,
Executive Department, Helena October 4, 1882.

The following named persons were this day appointed Notaries Public for the period of three years from this date, subject to the advice and consent of the Legislative Council at its next session,

Charles O'Hornett	of	Silver Bow	County,
William A. Ives	"	Gallatin	"
Charles F. Bushnell	"	Gallatin	"
J. H. Williams	"	Custer	"

Attest
Jno. D. McCutchen
Secretary

B. F. Potts
Governor,

Territory of Montana,
Executive Department, Helena October 7, 1882.

Samuel Jennison of the City of Boston, State of Massachusetts, was this day appointed and commissioned a Commissioner of Deeds for the Territory of Montana, to reside in the State of Massachusetts, for the period of three years from the seventeenth day of October 1882.

Attest
Jno. D. McCutchen
Secretary,

B. F. Potts
Governor,

Oath of Office.

I, John S. Harris, do solemnly swear that I have never voluntarily borne arms against the United States since I have been a citizen thereof; that I have voluntarily given no aid, countenance, counsel, or encouragement to persons engaged in armed hostility thereto; that I have neither sought, nor accepted, nor attempted to exercise the functions of any office whatever, under any authority, or pretended authority, in hostility to the United States; that I have not yielded a voluntary support to any pretended government, authority, power or constitution within the United States, hostile or inimical thereto. And I do further swear, that to the best of my knowledge and ability I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion,

and that I will well and faithfully discharge the duties of United States Surveyor General for the District of Montana, So help me God,

(Signed) John S. Harris,
U. S. Surveyor General for Montana,

Subscribed and sworn to before me at Helena, County of Lewis and Clarke, of Montana Territory, this second day of October, 1882,

(Signed) Lucius S. Wade,
Chief Justice of Montana,

Filed October 2, A. D. 1882
Sam D. McCutcheon
Secretary of Montana,

Territory of Montana,
Executive Department, } Helena October 11, 1882,

It having been made to appear to me by a certificate from the Probate Judge of Lewis and Clarke County, Montana Territory, that James Thom of said County is insane and indigent, I have this day issued a warrant to the Sheriff of Lewis and Clarke County, to forthwith convey the said James Thom to the Asylum at Warm Springs, Deer Lodge County, and deliver him to Dr. A. H. Mitchell, the Contractor for the care and medication of indigent insane of this Territory.

Attest
Sam D. McCutcheon
Secretary,

B. F. Potts
Governor,

Territory of Montana,
Executive Department, }

Whereas, At the October term of the District Court held in and for Beaverhead County, Montana Territory, Andrew M. Madison was convicted of the crime of Murder in the second degree, and sentenced to confinement in the Penitentiary at Deer Lodge City for the period of twelve years;

And whereas, Such representations have been made by M. J. Galbraith, Associate Justice, Hon. Geo. W. Stapleton, P. A. Langey, Charles W. Turner, E. S. Stackpole and two hundred other citizens that said Andrew M. Madison may with propriety be pardoned by the Executive Authority of this Territory;

Therefore, By virtue of the authority vested in me as Governor by the laws of the United States and of this Territory, I hereby grant a full pardon to said Andrew M. Madison, and restore him to all of his civil rights so far as Executive authority extends.

In testimony whereof, I have hereunto set my hand and caused the Seal of the Territory of Montana to be affixed at Helena, the Capital, this 12th day of October, A.D. 1882, and of the Independence of the United States the one hundred and Seventh.

Seal.

B. F. Potts

By the Governor
Hare O'M Cutler
Secretary

Territory of Montana,
Executive Department,

Whereas, At the June term of the District Court, 1880, held in and for Beaverhead County, Montana Territory, Frank Williams was convicted of the crime of grand larceny and sentenced to confinement in the Penitentiary at Deer Lodge City for the term of five years;

And whereas, Such representations have been made by A. E. Graeter, and sixty-four other citizens that said Frank Williams may with propriety be pardoned by the Executive authority of this Territory;

Therefore, By virtue of the authority vested in me by the laws of the United States and of this Territory, I hereby grant a full pardon to the said Frank Williams, and restore him to all of his civil rights so far as Executive authority extends upon the condition that he will forever abstain from the use of intoxicating liquors as a beverage.

In testimony whereof, I have hereunto set my hand and caused the Seal of the Territory to be affixed, at Helena, the Capital, this Thirteenth day of October A.D. 1882, and in the Independence of the United States the one hundred and Seventh.

B. F. Potts

By the Governor
Hare O'M Cutler
Secretary

Condition of Pardon,

I, Frank Williams, now confined in the Penitentiary at Deer Lodge for the crime of grand larceny, hereby accept the conditions of pardon granted me October 13th 1882, by the Governor of Montana Territory and hereby pledge myself to

forever abstain from the use of intoxicating liquors as a beverage, and that in default thereof, that I again be imprisoned in said Penitentiary, to there serve out the remainder of my sentence to imprisonment. And this I promise without mental reservation or purpose of evasion,

Witness my signature at Deer Lodge, Montana Territory, this October 15th A.D. 1882,

Witness to signature
W. W. Botkin,

(Signed) Frank Williams,

Territory of Montana,
Executive Department, } Helena October 24, 1882,

Erastus V. Joice of the City of San Francisco, State of California, was this day appointed and commissioned a Commissioner of Deeds for the Territory of Montana to reside in the State of California, for the period of three years from this date,

Attest,
Thos. D. McCutchan
Secretary

B. F. Potts
Governor,

Territory of Montana,
Executive Department, } Helena October 24, 1882,

Bernard J. Kelly of the City of New York, State of New York, was this day appointed and commissioned a Commissioner of Deeds for the Territory of Montana to reside in the State of New York, for the period of three years from this date,

Attest,
Thos. D. McCutchan
Secretary

B. F. Potts
Governor,

Territory of Montana,
Executive Department, }

Whereas, At the September term of the District Court, 1882, held in and for Choteau County, Montana Territory, Charles Smith was convicted of the crime of exhibiting a deadly weapon threatningly, and sentenced to confinement in the County Jail of Choteau County for the period of four months;

And whereas, Such representations have been made by Thomas A. Cummings, foreman of the Grand Jury, John J. Healy, Sheriff of Choteau County, C. A. Broadwater, and

thirty-five other citizens that said Charles Smith may with propriety be pardoned by the Executive authority of this Territory.

Therefore, By virtue of the authority vested in me by the laws of the United States and of this Territory, I hereby grant a full pardon to said Charles Smith.

In testimony whereof, I have set my hand and caused the Seal of the Territory to be affixed at Helena, the Capital, this second day of November, A.D. 1882, and of the Independence of the United States the one hundred and seventh.

Seal.

By the Governor
[signature]
Secretary.

B. F. Potts

Territory of Montana,
Executive Department, } Helena November 6, 1882.

It having been made to appear to me by the certificate of the Probate Judge of Silver Bow County, Montana Territory, that Charles Finn and John McDonald both of said county are insane and indigent, I have this day issued a warrant to the Sheriff of said Silver Bow County to forthwith convey the said Charles Finn and John McDonald to the Asylum at Warm Springs, Deer Lodge County, and deliver them to Dr. A. H. Mitchell, the Contractor for the care and medication of the indigent insane of this Territory.

Attest,
[signature]
Secretary.

B. F. Potts
Governor.

Territory of Montana,
Executive Department, }

Whereas, At the April term of the District Court, 1882, held in and for Choteau County, Montana Territory, Henry J. Hanna was convicted of the crime of incest and sentenced to confinement in the Penitentiary at Deer Lodge for the period of five years;

And whereas, Such representations have been made by W. W. Botkin, Warden of the Penitentiary, Wm. H. Hunt Jr. U.S. Collector of Customs, and many other citizens that said Henry J. Hanna may with propriety be pardoned by the Executive authority of this Territory;

Therefore, By virtue of the authority vested in me as Governor by the laws of the United States and of this

Territory, I hereby grant a full pardon to said Henry J. Hanna, and restore him to all of his civil rights so far as executive authority extends,

In testimony whereof I have set my name and caused the Seal of the Territory to be affixed at Helena, the Capital, this 9th day of November, A.D. 1882, and of the Independence of the United States the one hundred and Seventh,

Seal,

B. F. Potts
Governor,

Attest,
Geo. W. McCrum
Secretary,

Proclamation

The President of the United States has designated Thursday, the thirtieth day of November next as a day of public Thanksgiving, and recommends the observance of that day by the people in the following appropriate words: Therefore I do recommend that the day above designated be observed throughout the country as a day of national thanksgiving and prayer, and the people, ceasing from their daily labors, and meeting in accordance with their general forms of worship, draw near to the Throne of Almighty God, offering to Him praise and gratitude for the manifold goodness which he has vouchsafed to us, and praying that His blessings and mercies may continue, And I do further recommend that the day thus appointed be made a special occasion for deeds of kindness and charity to the suffering and needy, so that all who dwell within the land may rejoice and be glad in this season of national thanksgiving,

I, Benjamin F. Potts, Governor of Montana Territory, do request the people of this Territory to observe said day in accordance with the recommendation of the President,

In witness whereof I have hereunto set my hand and caused the Great Seal of the Territory to be affixed,

Seal

Done at Helena, the Capital, this Seventh day of November, in the year of our Lord one thousand eight hundred and eighty-two, and of the United States of America the one hundred and seventh,

By the Governor,
Geo. W. McCrum
Secretary,

B F Potts

Territory of Montana,
Executive Department,

Whereas, At the February term of the District Court, 1879, held in and for Deer Lodge County, Montana Territory, Jenkins Hopkins was convicted of the crime of Murder in the Second degree, and sentenced to Confinement in the Penitentiary at Deer Lodge for the period of twenty-five years;

And whereas, Such representations have been made by J. K. Thomas, A. J. Davis, A. C. Witter, Daniel Wilds, W. A. Clark, Marcus Daly, and one hundred and fifty-nine other citizens, that said Jenkins Hopkins may in the propriety be pardoned by the Executive authority of this Territory;

Therefore, By virtue of the authority vested in me as Governor by the laws of the United States and of this Territory, I hereby grant a full pardon to said Jenkins Hopkins and restore him to all his civil rights so far as Executive authority extends upon the condition that the said Jenkins Hopkins will forever abstain from the use of intoxicating liquors as a beverage,

Seal,

In testimony whereof I have hereunto set my hand and caused the Seal of the Territory to be affixed at Helena, this fifteenth day of November, A.D. 1882, and of the Independence of the United States the one hundred and seventh,

B. F. Potts

By the Governor,
Thos. D. McGhee
Secretary,

Condition of Pardon

I, Jenkins Hopkins, now confined in the Penitentiary at Deer Lodge, Montana Territory, for the crime of murder in the second degree hereby, acc. to the condition of the pardon granted me November 15, A.D. 1882, by the Governor of Montana Territory, viz: That I will forever abstain from the use of intoxicating liquors as a beverage, and in default thereof that I be again imprisoned in said Penitentiary to there serve out the remainder of my sentence to imprisonment, and this I do without any mental reservation or purpose of evasion,

Dated at Deer Lodge, Montana Territory,

November 16, 1882,

(Signed) Jenkins Hopkins

Witness to Signature
W. W. Botkin

Territory of Montana,
Executive Department, } Helena November 16, 1882.

It having been made to appear to me by the certificate of the Probate Judge of Deer Lodge county, Montana Territory that William Mansfield of said county is insane and indigent I have this day issued a warrant to the Sheriff of said County to forthwith convey the said William Mansfield to the Asylum at Warm Springs, Deer Lodge county, and deliver him to Dr. A. H. Mitchell, the Contractor for the care and medication of the indigent insane of this Territory.

Attest,
Jas. A. McCulloch
Secretary

B. F. Potts
Governor.

Territory of Montana,
Executive Department, } Helena November 20, 1882.

The following named persons were this day appointed and commissioned Notaries Public for the period of three years from this date, subject to the advice and consent of the Legislative Council at its next Session;

Phil. O. Mc Gough,	Beaverhead County,
Robert Robler	Meagher "
Robert L. Mc Culloh	Choteau "
Joseph J. Williams	Lewis & Clarke "
Oscar Phillips	Gallatin "
John Eddy	Silver Bow "

Attest
Jas. A. McCulloch Secretary

B. F. Potts
Governor.

Territory of Montana,
Executive Department, } Helena November 27, 1882.

It having been made to appear by the certificate of the Probate Judge of Madison County, Montana Territory, that Lewis C. Rayburn of said County is insane and indigent, I have this day issued a warrant to the Sheriff of said county to forthwith convey the said Lewis C. Rayburn to the Asylum at Warm Springs, Deer Lodge County and deliver him to Dr. A. H. Mitchell, the Contractor for the care and medication of the indigent insane of this Territory;

Attest
Jas. A. McCulloch
Secretary

B. F. Potts
Governor.

Territory of Montana,
Executive Department,

Whereas, At the April term of the District Court, 1880, held in and for Deer Lodge County, Montana Territory, John Peterson was convicted of the crime of grand larceny, and sentenced to confinement in the Penitentiary at Deer Lodge for the period of seven years;

And whereas, Such representations have been made by M. W. Botkin, Warden of the Penitentiary, ten of the jurors who rendered the verdict, and many other citizens that said John Peterson may with propriety be pardoned by the Executive authority of this Territory;

Therefore, By virtue of the authority vested in me as Governor by the laws of the United States and of this Territory, I hereby grant a full pardon to said John Peterson and restore him to all of his civil rights so far as Executive authority extends.

In testimony whereof I have hereunto set my hand and caused the Seal of the Territory to be affixed, at Helena, the Capital, this 29th day of November, A.D. 1882, and of the Independence of the United States the one hundred and seventh.

Seal.

B. F. Potts

By the Governor
Thos. Dillon
Secretary.

Territory of Montana,
Executive Department, } Helena December 4, 1882.

The following named persons were this day appointed Notaries Public for the period of three years from this date, subject to the advice and consent of the Legislative Council at its next session.

Frank S. Richmond,	Madison County.
George S. Palmer,	Madison "
J. L. Staats	Gallatin "
A. L. Russell	Gallatin "
Walter Matheson	Custer "
Alex. M. Wolfolk	Silver Bow "
Arthur B. Keller	Choteau "
Chas. H. Snell	Silver Bow "
Louis Ballin	Silver Bow "

Attest
Thos. Dillon
Secretary

B. F. Potts Governor.

The Territory of Montana, ss,

To His Excellency, the Governor of the State of Maine,

Whereas, It appears by the annexed copy of affidavit and warrant, which I hereby certify, are authentic, and in accordance with the laws of this Territory, that Ed. E. Savage stands charged with the crime of embezzlement committed in the County of Beaver Head, in this Territory, and it has been represented to me that he has fled from justice and taken refuge in the State of Maine,

Now therefore, pursuant to the provisions of the Constitution and the laws of the United States in such case made and provided, I do hereby request that the said Ed. E. Savage be apprehended and delivered and delivered to David P. Reinhardt Esq. who is hereby authorized to receive and convey said Savage to the Territory of Montana, there to be dealt with according to law,

In witness whereof, I have hereunto set my hand and caused the Seal of the Territory to be affixed at Helena, the Capital, this the eleventh day of December, A.D. 1882,

Seal,

B. F. Potts

By the Governor
Horace S. McCutcheon
Secretary,

The Territory of Montana, ss,

To His Excellency, the Governor of the State of Michigan,

Whereas, It appears by the annexed copy of Indictment and Bench Warrant, which I certify are authentic, and in accordance with the laws of this Territory, that John L. Crippin and Taylor Parshall stand charged with the crime of Kidnapping, committed in the County of Dawson, in this Territory, And it has been represented to me that they have fled from justice and taken refuge in the State of Michigan,

Now therefore, Pursuant to the provisions of the Constitution and laws of the United States in such cases made and provided, I do hereby request that the said John L. Crippin and Taylor Parshall be apprehended and delivered to John M. Thornton, Esq, who is hereby authorized to receive and convey said John L. Crippin and Taylor Parshall to the Territory of Montana, there to be dealt with according to law,

In witness whereof I have hereunto set my hand and caused the Seal of the Territory to be

(Seal) Affixed, at Helena, this 12th day of December, A.D. 1882.

B. F. Potts
Governor of Montana

Attest:
Thos D. McCutcheon
Secretary

Territory of Montana,
Executive Office, } Helena December 8, 1882,

This being the day fixed by law for the canvass of the votes polled at a General Election held on the seventh day of November, A.D. 1882, in the several Counties of Montana Territory for the election of a Delegate to the Forty-Eighth Congress of the United States, the following proceedings were had at the Executive Office, in the City of Helena, in said Territory on this eighth day of December, A.D. 1882,

Present, B. F. Potts, Governor of said Territory, and H. H. Melton, Territorial Treasurer, and member of Canvassing Board, Absent, Alexander C. Botkin, U.S. Marshal for the District of Montana,

Adjourned to await the arrival of U.S. Marshal.

A. C. Botkin, to Tuesday December 12th, 1882,

H. H. Melton, Territorial Treasurer,
B. F. Potts, Governor of Montana

Helena, Mon. Ter. December 12, 1882,

The Canvassing Board met according to adjournment at the Executive Office of the Territory of Montana with all the members present, and have made the following

Abstract of Votes

polled at a General election held in the several counties of Montana Territory, on Tuesday, November Seventh, A.D. 1882, for Delegate to represent said Territory in the Forty-Eighth Congress of the United States, as returned to the Territorial Auditor, and canvassed by Alex. C. Botkin, U.S. Marshal for the District of Montana, and H. H. Melton, Territorial Treasurer, in the presence of B. F. Potts, Governor of said Territory, on the twelfth day of December, A.D. 1882, at Helena, the Capital of the Territory aforesaid,

Counties,	Martin Maginnis,	Alex. C. Botkin,	Scattering,	Total,
Beaverhead,	515	653		1168
Lawson,	533	108		641
Choteau	622	345		967
Custer	1937	953		2890
Deer Lodge	776	863	5	1644
Gallatin	1536	1694	1	3[illegible]

Jefferson	616	704		1320
Lewis & Clarke	1058	1444		2502
Madison	572	707		1279
Meagher	994	991		1985
Missoula	1595	534		2129
Silver Bow	1644	1919		3563
Total,	12398,	10914,	6,	23318,

We, the undersigned, hereby certify, that we did, on the day and at the place aforesaid, canvass the votes for Delegate to the Forty-Eighth Congress of the United States from the Territory of Montana, as returned and certified to by the Clerks of the several counties of said Territory, and that the foregoing abstract of said votes is correct as so returned and certified to,

Dated at Helena, the Capital, December the twelfth, A.D. 1882,

Canvassed in my presence,
B. F. Potts, Governor,

Alex. C. Botkin, U.S. Marshal,
D. H. Weston, Territorial Treasurer,

Attest,
Sam D. McCutcheon
Secretary of Montana.

United States of America }
Territory of Montana, } ss,

I, Benjamin F. Potts, Governor of the Territory of Montana, do hereby certify, that at a general election held in said Territory, on Tuesday, the Seventh day of November, A.D. 1882, in pursuance of law, Martin Maginnis was legally elected Delegate to represent said Territory in the Forty-Eighth Congress of the United States, he having received the highest number of votes cast at said election for said office,

In testimony whereof I have hereunto set my hand and caused the Great Seal of the Territory to be affixed,

Done at Helena, the Capital of said Territory, this Twelfth day of December, A.D. one thousand eight hundred and eighty-two,

Seal,

B. F. Potts
Governor,

Attest,
Sam D. McCutcheon
Secretary of Montana,

Territory of Montana,
Executive Department, } Helena, December 22, 1882.

George T. Knox, of the State of California, was this day appointed and commissioned a Commissioner of Deeds for the Territory of Montana, to reside in the State of California, for the period of three years from this date.

Attest,
Isaac D. McCutchen
Secretary.

B. F. Potts
Governor

Territory of Montana,
Executive Department, } Helena, December 22, 1882.

It having been made to appear to me by a transcript of proceedings of the Probate Court of Gallatin County, Montana Territory, that Samuel Trumbull of said County is insane and indigent, I have this day issued a warrant to the Sheriff of said County to forthwith convey the said Samuel Trumbull to the Asylum at Warm Springs, Deer Lodge County, and deliver him to Dr. A. H. Mitchell, the Contractor for the care and medication of the indigent insane of this Territory.

Attest,
Isaac D. McCutchen
Secretary.

B. F. Potts
Governor

Territory of Montana,
Executive Department, } Helena, December 22, 1882.

It having been made to appear to me by the certificate of the Probate Judge of Deer Lodge County, Montana Territory, that Charles Watson of said County is insane and indigent, I have this day issued a warrant to the Sheriff of said County to forthwith convey the said Charles Watson to the Asylum at Warm Springs, Deer Lodge County, and deliver him to Dr. A. H. Mitchell, the Contractor for the care and medication of the indigent insane of this Territory.

Attest,
Isaac D. McCutchen
Secretary.

B. F. Potts
Governor

Territory of Montana,
Executive Department, } Helena December 22, 1882.

It having been made to appear to me by a transcript of proceedings of the Probate Court of Silver Bow County, Montana Territory, that John W. Hewett of said

County is insane and indigent, I have this day issued a warrant to the Sheriff of said County, to forthwith convey said John M. Morrell to the Asylum at Warm Springs, Deer Lodge County, and deliver him to Dr. A. H. Mitchell, the Contractor for the care and medication of the indigent insane of this Territory,

Attest,
Clare D. McLatchie
Secretary

B. F. Potts
Governor,

Territory of Montana,
Executive Department, } Helena, December 22, 1882,

It having been made to appear to me by a certificate of the Probate Judge of Beaverhead County, Montana Territory, that Joe Butler of said County is insane and indigent, I have this day issued a warrant to the Sheriff of said County, to forthwith convey the said Joe Butler to the Asylum at Warm Springs, Deer Lodge County, and deliver him to Dr. A. H. Mitchell, the Contractor for the care and medication of the indigent insane of this Territory,

Attest,
Clare D. McLatchie
Secretary,

B. F. Potts
Governor,

Territory of Montana,
Executive Department, } Helena, December 30, 1882,

The following named persons were this day appointed and Commissioned Notaries Public for the period of three years from this date, subject to the advice and consent of the Legislative Council at the next session,

A. S. Sere,	Custer County,
Isaac N. Marlett,	Choteau "
George R. Woodward	Jefferson "
William K. Smith	Beaver Clark County,

Attest,
Clare D. McLatchie
Secretary,

B. F. Potts
Governor,

Territory of Montana,
Executive Department, }
Helena January 1883,

Territory of Montana,
Executive Department, } Helena January 3, 1883,

The following named persons were this day appointed and commissioned Notaries Public for the period of three years from this date, subject to the advice and consent of the Legislative Council at its next Session,

Joseph K. Toole,	Lewis and Clarke County,
Charles W. Pinrose	Missoula "
Harrison Jordan	Jefferson "
Stephen E. Atkinson	Lewis & Clarke "
Joseph H. Harper	Silver Bow "

Attest,
Frank D. McCutchen
Secretary,

B. F. Potts Governor,

Territory of Montana,
Executive Department, }

Whereas, At the September term of the District Court, 1882, held in and for Choteau County, Montana Territory, Frank Lambard was convicted of the crime of mayhem, and sentenced to confinement in the Penitentiary at Deer Lodge for the term of one year;

And whereas, Such representations have been made by Hon. W. S. Wade, Chief Justice, that said Frank Lambard may with propriety be pardoned by the Executive authority of this Territory;

Therefore, By virtue of the authority vested in me as Governor by the laws of the United States and of this Territory, I hereby grant a full pardon to the said Frank Lambard, and restore him to all of his civil rights so far as Executive authority extends upon the condition that he will forever abstain from the use of intoxicating liquors as a beverage,

Seal,

In testimony whereof, I have hereunto set my hand and caused the seal of the Territory to be affixed at Helena, the Capital, this eleventh day of January, A. D. 1883,

B. F. Potts

By the Governor
Frank D. McCutchen
Secretary,

Territory of Montana,
Executive Department, } Helena January 13, 1883.

It having been made to appear to me by a transcript of proceedings of the Probate Court of Deer Lodge County, Montana Territory, that Adam Knaul of said county is insane and indigent, I have this day issued a warrant to the Sheriff of said County to forthwith convey the said Adam Knaul to the Asylum at Warm Springs, Deer Lodge County, and deliver him to Dr. A. H. Mitchell, the Contractor for the care and medication of the insane of this Territory.

Attest,
Geo. D. McCutchan
Secretary.

B. F. Potts
Governor.

Territory of Montana,
Executive Department, } Helena, January 13, 1883.

John C. Kirby of Meagher County was this day appointed and commissioned a Notary Public for the period of three years from this date, subject to the advice and consent of the Legislative Council at its next session.

Attest
Geo. D. McCutchan
Secretary.

B. F. Potts
Governor.

Territory of Montana,
Executive Department, } Helena, January 13, 1883.

To the Legislative Assembly

I have the honor to submit for your information a report of pardons granted by this office during the two years last past, with the reasons therefor.

John J. Miller, Crime Rape,

Sentenced at the October term, 1880, of the District Court, Beaverhead County, to confinement in the Penitentiary for the period of five years.

Pardon granted February 15, 1880, on the petition of Laura Bilto, on whom the alleged rape was committed, M. E. Crocker, and one hundred and twenty-six other citizens of Montana.

Edward Mattack, Crime, Assault and battery,

Sentenced at a session of the Police Court of Butte City, March 12, 1881, to confinement in the county jail for the period of ninety days, and to pay a fine of fifty dollars.

Pardon granted April 20, 1881, and fine remitted, on the petition of the County Commissioners of Silver Bow Coun-

and ~~of~~ eight other citizens,

George J. Simpson, Crime, Forgery,

Sentenced at the June term, 1880, of the District Court, Beaverhead County, to confinement in the Penitentiary for the period of one year,

Pardon granted May 17, 1881, on the petition of W. W. Botkin, Warden of the Penitentiary,

John Cravens, Crime, Rape,

Sentenced at the November term, 1878, of the District Court, Lewis and Clarke County, to confinement in the Penitentiary for the period of twelve years,

Pardon granted July 7, 1881, on the petition of Hon. Joseph K. Toole, A. H. Beattie, Clerk of the District Court, and five of the jurors who rendered the verdict,

John H. Johnston, Crime, Assault, with intent to commit Murder,

Sentenced at the April term, 1880, of the District Court, Madison County, to confinement in the Penitentiary for the period of three years,

Pardon granted September 13, 1881, on the petition of Hon. R. O. Hickman, Thomas Dearmond, six of the jurors who rendered the verdict, the mother and sister of the prisoner, and many other citizens, on the condition that he would immediately depart from this Territory, never to return,

Charles C. Santelle, Crime, Grand Larceny,

Sentenced at the November term, 1880, of the District Court, Lewis and Clarke county, to confinement in the Penitentiary for the period of one year,

Pardon granted September 19, 1881, on the petition of Hon. E. G. Conger, Associate Justice, J. R. Johnston, C. M. Fenis, and many other citizens,

Manson T. Lobb, Crime, Murder in the second degree,

Sentenced at the September term 1879, of the District Court, Deer Lodge County, to confinement in the Penitentiary for the period of seven years,

Pardon granted October 31, 1881, on the petition of Dr. R. H. Mitchell, C. B. O'Bannon, Thomas Strang, Sheriff, Geo. M. Stapleton, Samuel Word, and many other citizens, upon the condition that he will forever abstain from the use of intoxicating liquors as a beverage,

C. M. Fanning, Crime, Adultery and Fornication,

Sentenced at the September terms, 1881, of the District Court, Choteau County, for the period of six months in the county jail of Choteau County and to pay a fine of one hundred

dollars,

Pardon granted November 7, 1881, on the petition of Hon. D. B. Wade, Chief Justice, T. J. Lewis, District Attorney, all of the Grand Jurors who found the indictment, and seventy other citizens, he having faithfully paid the fine imposed upon him,

A. L. Buell, Crime, Arson,

Sentenced at the April term, 1880, of the District Court, Douglas County, to confinement in the Penitentiary for the period of three years,

Pardon granted November 17, 1881, on the petition of George M. Irvine, A. C. Miller, and many other citizens, on the condition that he will forever abstain from the use of intoxicating liquors as a beverage,

Charles Richardson, Crime, Grand larceny,

Sentenced at the October term, 1879, Beaverhead County, District Court, to confinement in the Penitentiary for the period of two years and six months,

Pardon granted November 17, 1881, on the petition of W. M. Botkin, Warden of the Penitentiary, representing that said Charles Richardson is deserving of Executive clemency,

James Milligan, Crime, Burglary,

Sentenced at the November term, 1878, of the District Court, Douglas County, to confinement in the Penitentiary for the period of seven years,

Pardon granted November 17, 1881, on the petition of M. A. Clark, Sen. M. Foster, Joseph Hyde, John Noyes and many other citizens on the condition that he will forever abstain from the use of intoxicating liquors as a beverage,

Sebro R. Proper, Crime Grand larceny,

Sentenced at the March term, 1880, of the District Court, Choteau County, to confinement in the Penitentiary for the period of two years,

Pardon granted November 17, 1881, on the petition of W. M. Botkin, Hugh O'Neil, and other citizens, upon the condition that he will forever abstain from the use of intoxicating liquors as a beverage,

John Lorenz, Crime Petit larceny,

Sentenced at the October term, 1881, of the Probate Court, Sevier and Clarke County, to confinement in the county jail for the period of sixty days,

Pardon granted December 13, 1881, on the petition of Hon. Joseph R. Poole, Joseph Davis, Probate Judge and other citizens of Sevier and Clarke County,

Allen Sevier, Crime, Grand larceny,

Sentenced at the November term of the District Court, 1880, Sevier and Clarke County, to confinement in the Penitentiary for the period of five years,

Pardon granted December 19, 1881, on the petitions of Hon. D. S. Wade, Chief Justice, T. J. Lowry, District Attorney, John Shober, and Seventy-seven other citizens,

Peter Walker, Crime, Assault with intent to do great bodily injury,

Sentenced at the September term, 1881, of the District Court, Custer County, ~~[illegible]~~ to confinement in the Penitentiary for the period of one year,

Pardon granted December 19, 1881, on the petitions of Hon. D. S. Wade, Chief Justice, and many citizens of Custer County, upon the condition that he will forever abstain from the use of intoxicating liquors as a beverage,

John Collins, Crime, Murder in the second degree,

Sentenced at the September term, 1873, Douglas County, of the District Court, to confinement in the Penitentiary during his natural life,

Pardon granted January 9, 1882, on the petitions of Hon. Hiram Knowles, Alex. E. Mayhew, Dr. A. H. Mitchell, and one hundred and twelve other citizens,

Michael O'Neal, Crime, Assault with intent to do great bodily harm,

Sentenced at the February term, 1881 of the District Court, Jefferson County, to confinement in the Penitentiary for the period of one year,

Pardon granted January 14, 1882, on the petitions of Forty-seven citizens of Jefferson County,

Lou Shipley, Crime, Grand larceny,

Sentenced at the May term, 1881, of the District Court, Sevier and Clarke County, to confinement in the Penitentiary for the period of one year,

Pardon granted January 14, 1882, on the petitions of T. J. Lowry, District Attorney, A. H. Beattie, Clerk of the District Court, and thirteen other citizens, upon the condition that he will forever abstain from gambling,

Frederick Fox, Crime, Grand larceny,

Sentenced at the November term, 1880, of the District Court, Gallatin County, to confinement in the Penitentiary for the period of five years

Pardon granted March 14, 1882, on the petitions of Hon. E. J. Conger, Associate Justice, Hon. Robert P. Vivian, and Sixty other citizens of Gallatin County, on the condition that he will forever abstain from the use of intoxicating liquors as a beverage,

Ah. Ah (Chinaman.) Crime, Assault with a deadly weapon, with intent to do great ~~death~~ bodily injury.

Sentenced at the March term, 1880, of the District Court, Deer Lodge County, to confinement in the Penitentiary for the period of five years.

Pardon granted March 14, 1882, on the petitions of the jurors who rendered the verdict.

Francis Cassidy, Crime Grand larceny.

Sentenced at the September term, 1881, of the District Court, Choteau County, to confinement in the Penitentiary for the period of one year.

Pardon granted March 14, 1882, on the petition of Hon. D. S. Wade, T. J. Lowry, eight of the jurors who rendered the verdict, and many other citizens of Choteau County, upon the condition that he will forever abstain from the use of intoxicating liquors as a beverage.

Ralph M. Osborne, Crime, Assault and battery.

Sentenced at the September term, 1881, of the District Court, Beaverhead County, to the payment of a fine of ten dollars, and to be committed to the county jail until the same be paid.

Pardon granted and fine remitted March 25, 1882, on the petition of one hundred and seven citizens of Beaverhead County.

E. A. Foster, Crime, Assault and battery.

Sentenced at the September term, 1881, of the District Court, Beaverhead County, to confinement in the county jail until a fine of ten dollars is paid.

Pardon granted and fine remitted March 25, 1882, on the petition of L. G. Fyfrie, and one hundred other citizens of Beaverhead county.

James Gloster, Crime, Murder in the second degree.

Sentenced at the November term, 1879, of the District Court, Lewis and Clarke County, to confinement in the Penitentiary for the term of ten years.

Pardon granted Mar. 8, 1882, on the petition of Hon. H. S. Wade, Chief Justice, C. M. Jeffers, E. W. Knight, A. M. Holter, H. M. Parchen, J. M. Breeny, and many others, upon the condition that he will forever abstain from the use of intoxicating liquors as a beverage.

Ah Ung. (Chinaman) Crime. Exhibiting a deadly weapon in a threatening manner.

Sentenced at the April term, 1882, of the District Court, Lewis and Clarke County, to confinement in the county jail for the period of ninety d.

Pardon granted May 10, 1882, on the petition of Hon. Joseph Davis, Probate Judge,

Williams Morgan, Crime. Petit Larceny,

Sentenced at the April term, 1882, of the Probate Court, Scott and Clarke County, to confinement in the county jail for the period of three months.

Pardon granted May 24, 1882, on the petition of Hon. Joseph Davis, Charles D. Hard, and others.

Al. G. Goodrich, Crime. Assault and battery,

Sentenced at the May term, 1882, of the Probate Court, Scott and Clarke County, to confinement in the county jail for the term of six months, and also to pay a fine of ten dollars and costs of prosecution,

Pardon granted May 24, 1882, on the petition of Joseph P. Woolman, Joseph K. Poole, John R. Watson, A. M. Moffoll, and many others, upon the condition that he will abstain from the use of intoxicating liquors for six months from the date of pardon,

Williams Bluefield, Crime, Grand Larceny,

Sentenced at the February term, 1882, of the District Court, Silver Bow County, to confinement in the Penitentiary for the period of one year,

Pardon granted June 24, 1882, on the petition of Hon. Samuel Word, Alex E. Mayhew, Hon. W. J. Galbraith, Associate Justice, and many other citizens,

Daniel Boyd, Crime, Grand Larceny,

Sentenced at the November term, 1881, of the District Court, Missoula County, to confinement in the Penitentiary for the period of two years,

Pardon granted July 10, 1882, on the petition of Hon. W. J. Galbraith, Associate Justice, Frank H. Moody, Alex. E. Mayhew, and many other citizens, on the condition that he will forever abstain from the use of intoxicating liquors as a beverage,

Samuel Frasier, Crime, Grand Larceny,

Sentenced at the May term, 1880, of the District Court, Custer County, to confinement in the Penitentiary for the period of six years,

Pardon granted July 10, 1882, on the petition of Hon. F. H. Garlock, J. W. Stuart, the Sheriff of Custer County, and many other citizens, on the condition that he will forever abstain from the use of intoxicating liquors as a beverage,

Samuel Borden, Crime Grand Larceny,

Sentenced at the October term, 1881, of the

District Court, Meagher County, to confinement in the Penitentiary for the period of five years,

Pardon granted July 10, 1882, on the petition of Gavin Johnston, Job. Thompson, and forty-four other citizens of Meagher County, on the condition that he will forever abstain from the use of intoxicating liquors as a beverage,

James Duncan, Crime, Grand larceny,

Sentenced at the February term, 1882, of the District Court, Jefferson County, to confinement in the Penitentiary for the period of six months,

Pardon granted July 28, 1882, on the petition of Hon. D. S. Wade, Chief Justice, Thomas J. Lewis, District Attorney, Hon. W. E. Cullen, and Richard Locke,

John A. Jessrang, Crime, Grand larceny,

Sentenced at the November term, 1880, of the District Court, Lewis and Clarke County, to confinement in the Penitentiary for the period of five years,

Pardon granted July 28, 1882, on the petition of William Chumisaro, and other citizens,

Mary A. Dronillard, Crime, Murder in the second degree,

Sentenced at the November term, 1879, of the District Court, Missoula County, to confinement in the Penitentiary for the period of fifteen years,

Pardon granted August 26, 1882, on the petition of more than one hundred good citizens of Missoula County, and because of her being the only female convict in the Penitentiary and upon the condition that she will immediately depart from the Territory, never voluntarily to return,

Andrew M. Madison, Crime, Murder in the second degree,

Sentenced at the October term, 1879, of the District Court, Beaverhead County, to confinement in the Penitentiary for the term of fourteen years,

Pardon granted October 12, 1882, on the petition of Hon. W. J. Galbraith, Associate Justice, George W. Stapleton, P. A. Largey, Charles W. Turner, E. S. Blackpole and more than two hundred other citizens of Montana,

Frank Williams, Crime, Grand larceny,

Sentenced at the June term, 1880, of the District Court, Beaverhead County, to confinement in the Penitentiary for the period of five years,

Pardon granted October 13, 1882, on the petition of A. E. Graeter and sixty-four other citizens of Beaverhead County, on the condition that he will forever abstain from the use of intoxicating liquors as a beverage

Henry J. Hanna, Crime, Incest,

Sentenced at the April term, 1881, of the District Court, Choteau County, to confinement in the Penitentiary for the period of five years,

Pardon granted November 2, 1882, on the petition of T. A. Cummings, the foreman of the Grand Jury which found the indictment, John J. Healy, Sheriff, C. A. Broadwater, and thirty five other citizens,

Charles Smith, Crime, Exhibiting a deadly weapon in a threatening manner,

Sentenced at the September term, 1882, of the District Court, Choteau County, to confinement in the county jail for the period of four months,

Pardon granted November 2, 1882, on the petition of C. A. Broadwater, and many other citizens of Choteau County,

Jenkins Hopkins, Crime, Murder in the second degree,

Sentenced at the February term, 1879, of the District Court, Deer Lodge County, to confinement in the Penitentiary for the period of twenty-five years,

Pardon granted November 15, 1882, on the petition of J. D. Thomas, A. J. Davis, A. C. Witter, D. J. Welch, W. A. Clark, and one hundred and fifty other citizens, upon the condition that he will forever abstain from the use of intoxicating liquors,

Jans Peterson, Crime, Grand larceny,

Sentenced at the April term, 1880, of the District Court, Deer Lodge County, to confinement in the Penitentiary for the period of seven years,

Pardon granted November 29, 1882, upon the petition of W. W. Botkin, one of the jurors who rendered the verdict, and many other citizens, upon the condition that he will forever abstain from the use of intoxicating liquors as a beverage,

Frank Sumbard, Crime, Mayhem,

Sentenced at the September term, 1882, of the District Court, Choteau County, to confinement in the Penitentiary for the period of one year,

Pardon granted January 11th, 1882, on the petition of Hon. D. S. Wade, Chief Justice, upon the condition that he will forever abstain from the use of intoxicating liquors as a beverage,

Per. to one copy of the foregoing having been prepared, the same is sent to the House of Representatives,

Respectfully,

Attest,

Pem A. Whitehead

Secretary

B. F. Beo

Governor